



General Assembly

**Amendment**

February Session, 2004

LCO No. 3308

\*HB0520103308HDO\*

Offered by:

REP. OREFICE, 37<sup>th</sup> Dist.

To: House Bill No. 5201

File No. 45

Cal. No. 81

**"AN ACT CONCERNING NEWBORN SCREENING AND  
MEDICALLY NECESSARY NUTRITIONAL FORMULA FOR CYSTIC  
FIBROSIS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 38a-492c of the general statutes is repealed and  
4 the following is substituted in lieu thereof (*Effective October 1, 2004*):

5 (a) For purposes of this section:

6 (1) "Inherited metabolic disease" [means] includes (A) a disease for  
7 which newborn screening is required under section 19a-55, as  
8 amended; and (B) cystic fibrosis.

9 (2) "Low protein modified food product" means a product  
10 formulated to have less than one gram of protein per serving and  
11 intended for the dietary treatment of an inherited metabolic disease  
12 under the direction of a physician.

13 (3) "Amino acid modified preparation" means a product intended  
14 for the dietary treatment of an inherited metabolic disease under the  
15 direction of a physician.

16 (4) "Specialized formula" means a nutritional formula for children  
17 up to age [three] eight that is exempt from the general requirements  
18 for nutritional labeling under the statutory and regulatory guidelines  
19 of the federal Food and Drug Administration and is intended for use  
20 solely under medical supervision in the dietary management of  
21 specific diseases.

22 (b) Each individual health insurance policy providing coverage of  
23 the type specified in subdivisions (1), (2), (4), (6), (11) and (12) of  
24 section 38a-469 delivered, issued for delivery or renewed in this state  
25 on or after October 1, 1997, shall provide coverage for amino acid  
26 modified preparations and low protein modified food products for the  
27 treatment of inherited metabolic diseases if the amino acid modified  
28 preparations or low protein modified food products are prescribed for  
29 the therapeutic treatment of inherited metabolic diseases and are  
30 administered under the direction of a physician.

31 (c) Each individual health insurance policy providing coverage of  
32 the type specified in subdivisions (1), (2), (4), (6), (11) and (12) of  
33 section 38a-469 delivered, issued for delivery or renewed in this state  
34 on or after October 1, 2001, shall provide coverage for specialized  
35 formulas when such specialized formulas are medically necessary for  
36 the treatment of a disease or condition and are administered under the  
37 direction of a physician.

38 (d) Such policy shall provide coverage for such preparations, food  
39 products and formulas on the same basis as outpatient prescription  
40 drugs.

41 Sec. 2. Section 38a-518c of the general statutes is repealed and the  
42 following is substituted in lieu thereof (*Effective October 1, 2004*):

43 (a) For purposes of this section:

44 (1) "Inherited metabolic disease" [means] includes (A) a disease for  
45 which newborn screening is required under section 19a-55, as  
46 amended; and (B) cystic fibrosis.

47 (2) "Low protein modified food product" means a product  
48 formulated to have less than one gram of protein per serving and  
49 intended for the dietary treatment of an inherited metabolic disease  
50 under the direction of a physician.

51 (3) "Amino acid modified preparation" means a product intended  
52 for the dietary treatment of an inherited metabolic disease under the  
53 direction of a physician.

54 (4) "Specialized formula" means a nutritional formula for children  
55 up to age [three] eight that is exempt from the general requirements  
56 for nutritional labeling under the statutory and regulatory guidelines  
57 of the federal Food and Drug Administration and is intended for use  
58 solely under medical supervision in the dietary management of  
59 specific diseases.

60 (b) Each group health insurance policy providing coverage of the  
61 type specified in subdivisions (1), (2), (4), (6), (11) and (12) of section  
62 38a-469 delivered, issued for delivery or renewed in this state on or  
63 after October 1, 1997, shall provide coverage for amino acid modified  
64 preparations and low protein modified food products for the treatment  
65 of inherited metabolic diseases if the amino acid modified preparations  
66 or low protein modified food products are prescribed for the  
67 therapeutic treatment of inherited metabolic diseases and are  
68 administered under the direction of a physician.

69 (c) Each group health insurance policy providing coverage of the  
70 type specified in subdivisions (1), (2), (4), (6), (11) and (12) of section  
71 38a-469 delivered, issued for delivery or renewed in this state on or  
72 after October 1, 2001, shall provide coverage for specialized formulas  
73 when such specialized formulas are medically necessary for the  
74 treatment of a disease or condition and are administered under the  
75 direction of a physician.

76     (d) Such policy shall provide coverage for such preparations, food  
77     products and formulas on the same basis as outpatient prescription  
78     drugs."

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>