

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB2315:

Smith (Dale)

AS INTRODUCED

An Act relating to insurance; requiring coverage for treatment of persons with inherited metabolic diseases; limiting dollar amount of coverage per year; defining terms; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6060.14 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. Any health benefit plan, including the State and Education Employees Group Health Insurance Plan, that is offered, issued, or renewed in this state on or after January 1, 2005, shall include coverage for medical foods and low-protein modified food products determined by a physician to be medically necessary for the therapeutic treatment of an inherited metabolic disease.

B. Each health benefit plan, including the State and Education Employees Group Health Insurance Plan, that includes coverage for medical foods and low-protein modified food products may limit the dollar amount of the covered benefit to a maximum of Three Thousand Dollars (\$3,000.00) per year per individual with an inherited metabolic disease.

C. This section does not require medical benefits coverage for low-protein modified food products or medical food for an individual to the extent those benefits are available to that individual under a state program.

D. As used in this section:

1. "Inherited metabolic disease" means a genetically determined biochemical disorder in which a specific enzyme defect produces a metabolic block that may have pathogenic consequences at birth or later in life;

2. "Low-protein modified food products" means a food product that is specifically formulated to have less than one (1) gram of protein per serving and is intended to be used under the direction of a physician for the dietary treatment of an inherited metabolic disease. The term does not include a natural food that is naturally low in protein; and

3. "Medical food" means a food that is intended for the dietary treatment of a disease or condition for which nutritional requirements are established by medical evaluation and is formulated to be consumed or administered under the direction of a physician.

SECTION 2. This act shall become effective January 1, 2005.

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