

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2844

By: Kiesel

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5  
6 AS INTRODUCED

7 An Act relating to insurance; defining terms;  
8 requiring certain health insurers to provide coverage  
9 for certain foods and food products for the treatment  
10 of inherited metabolic diseases under certain  
11 circumstances; providing for codification; and  
12 providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 6060.13a of Title 36, unless  
16 there is created a duplication in numbering, reads as follows:

17 A. As used in this section:

18 1. "Inherited metabolic disease" means a disease caused by an  
19 inherited abnormality of body chemistry, and includes, but is not  
20 limited to, a disease for which this state screens newborn babies;

21 2. "Low-protein modified food product" means a food product  
22 that is:

23 a. specially formulated to have less than one (1) gram of  
24 protein per serving, and

1           b.     intended to be used under the direction of a physician  
2                     for the dietary treatment of an inherited metabolic  
3                     disease.

4           Low-protein modified food product shall not include a natural  
5 food that is naturally low in protein; and

6           3.    "Medical food" means a food that is:

7                     a.     intended for the dietary treatment of a disease or  
8                     condition for which nutritional requirements are  
9                     established by medical evaluation, and

10                    b.     formulated to be consumed or administered internally  
11                    under the direction of a physician.

12           B.    The provisions of this section shall apply to a nonprofit  
13 health service plan, a hospital or major medical insurance policy, a  
14 group or blanket health insurance policy, and a health maintenance  
15 organization benefit package of health care services that:

16                     1.    Is written on an expense-incurred basis;

17                     2.    Provides coverage for a family member of the insured; and

18                     3.    Is delivered or issued for delivery in this state.

19           C.    The health plan, insurance policies, and health maintenance  
20 organization benefit package of health care services provided in  
21 subsection B of this section shall include under the coverage of the  
22 family member, coverage for medical foods and low-protein modified  
23 food products for the treatment of inherited metabolic diseases if  
24 the medical foods or low-protein modified food products are:

1 1. Prescribed as medically necessary for the therapeutic  
2 treatment of inherited metabolic diseases; and

3 2. Administered pursuant to the direction of a physician.

4 SECTION 2. This act shall become effective November 1, 2008.

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6 51-2-8814 MMP 01/13/08

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