HOUSE DOCKET, NO. 510 FILED ON: 1/13/2017

HOUSE . . . . . No. 526

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey and Claire D. Cronin

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing for certain health insurance coverage.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Sean Garballey	*23rd Middlesex*	*1/13/2017*
Claire D. Cronin	*11th Plymouth*	*1/17/2017*
Daniel M. Donahue	*16th Worcester*	*1/27/2017*
Kevin G. Honan	*17th Suffolk*	*1/26/2017*
Jay R. Kaufman	*15th Middlesex*	*1/24/2017*
John H. Rogers	*12th Norfolk*	*1/24/2017*
John C. Velis	*4th Hampden*	*1/24/2017*
Brian M. Ashe	*2nd Hampden*	*11/3/2017*
Daniel Cahill	*10th Essex*	*11/3/2017*
Marjorie C. Decker	*25th Middlesex*	*11/3/2017*
Jonathan Hecht	*29th Middlesex*	*11/3/2017*
James J. O'Day	*14th Worcester*	*11/3/2017*
Brendan P. Crighton	*Third Essex*	*11/3/2017*
James J. Dwyer	*30th Middlesex*	*11/3/2017*
Jeffrey N. Roy	*10th Norfolk*	*11/3/2017*
Jack Lewis	*7th Middlesex*	*11/3/2017*
Josh S. Cutler	*6th Plymouth*	*11/3/2017*
Edward F. Coppinger	*10th Suffolk*	*11/3/2017*

Thomas M. Stanley	*9th Middlesex*	*11/3/2017*
Kay Khan	*11th Middlesex*	*11/3/2017*
Carmine L. Gentile	*13th Middlesex*	*11/3/2017*
Michael J. Finn	*6th Hampden*	*11/3/2017*
Paul McMurtry	*11th Norfolk*	*11/3/2017*
Paul Tucker	*7th Essex*	*11/3/2017*
David M. Nangle	*17th Middlesex*	*11/3/2017*
Mike Connolly	*26th Middlesex*	*11/3/2017*
Denise C. Garlick	*13th Norfolk*	*11/3/2017*
Mary S. Keefe	*15th Worcester*	*11/3/2017*
Keiko M. Orrall	*12th Bristol*	*11/3/2017*
Natalie Higgins	*4th Worcester*	*11/3/2017*
James Arciero	*2nd Middlesex*	*11/3/2017*
Diana DiZoglio	*14th Essex*	*11/3/2017*
James M. Cantwell	*4th Plymouth*	*11/3/2017*
Antonio F. D. Cabral	*13th Bristol*	*11/3/2017*
Michelle M. DuBois	*10th Plymouth*	*11/3/2017*
Tackey Chan	*2nd Norfolk*	*11/3/2017*
Nick Collins	*4th Suffolk*	*11/3/2017*

HOUSE DOCKET, NO. 510 FILED ON: 1/13/2017

HOUSE . . . . . No. 526

By Representatives Garballey of Arlington and Cronin of Easton, a petition (accompanied by bill, House, No. 526) of Sean Garballey, Claire D. Cronin and others relative to providing certain health insurance coverage. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *3488* OF 2015-2016.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act providing for certain health insurance coverage.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 17A of chapter 32A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following 4 sentences:-

The commission shall provide to any active or retired employee of the commonwealth who is insured under the group insurance commission coverage for the cost of enteral formulas for home use, whether administered orally or via tube feeding, for which a physician has issued a written order. Such written order shall state that the enteral formula is clearly medically necessary and has been proven effective as a disease-specific treatment regimen for those individuals who are or will become malnourished or suffer from disorders, which if left untreated, cause chronic physical or intellectual disability or death. Specific diseases for which

enteral formulas have been proven effective shall include, but are not limited to, inherited diseases of amino acid or organic acid metabolism; eosinophilic gastrointestinal disorders; Crohn's Disease; gastroesophageal reflux with failure to thrive; disorders of gastrointestinal motility such as chronic intestinal pseudo-obstruction; and multiple, severe food allergies, which if left untreated will cause malnourishment, chronic physical or intellectual disability or death. Enteral formulas which are medically necessary and taken under written order from a physician for the treatment of specific diseases shall be distinguished from nutritional supplements taken electively.

SECTION 2. Section 47I of chapter 175 of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following 4 sentences:-

Any individual policy of accident and sickness insurance issued pursuant to section 108, and any group blanket policy of accident and sickness insurance issued pursuant to section 110, shall provide coverage for the cost of enteral formulas for home use, whether administered orally or via tube feeding, for which a physician has issued a written order. Such written order shall state that the enteral formula is clearly medically necessary and has been proven effective as a disease-specific treatment regimen for those individuals who are or will become malnourished or suffer from disorders, which if left untreated, cause chronic physical or intellectual disability or death. Specific diseases for which enteral formulas have been proven effective shall include, but are not limited to, inherited diseases of amino acid or organic acid metabolism; eosinophilic gastrointestinal disorders; Crohn's Disease; gastroesophageal reflux with failure to thrive; disorders of gastrointestinal motility such as chronic intestinal pseudo-obstruction; and multiple, severe food allergies, which if left untreated will cause malnourishment, chronic physical or

intellectual disability or death. Enteral formulas which are medically necessary and taken under written order from a physician for the treatment of specific diseases shall be distinguished from nutritional supplements taken electively.

SECTION 3. Section 8L of chapter 176A of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following 4 sentences:-

Any contract between a subscriber and the corporation under an individual or group hospital service plan that shall be delivered, issued or renewed in the commonwealth shall provide, as benefits to all individual subscribers and members within the commonwealth, coverage for the cost of enteral formulas for home use, whether administered orally or via tube feeding, for which a physician has issued a written order. Such written order shall state that the enteral formula is clearly medically necessary and has been proven effective as a disease-specific treatment regimen for those individuals who are or will become malnourished or suffer from disorders, which if left untreated, cause chronic physical or intellectual disability or death. Specific diseases for which enteral formulas have been proven effective shall include, but are not limited to, inherited diseases of amino acid or organic acid metabolism; eosinophilic gastrointestinal disorders; Crohn's Disease; gastroesophageal reflux with failure to thrive; disorders of gastrointestinal motility such as chronic intestinal pseudo-obstruction; and multiple, severe food allergies, which if left untreated will cause malnourishment, chronic physical or intellectual disability or death. Enteral formulas which are medically necessary and taken under written order from a physician for the treatment of specific diseases shall be distinguished from nutritional supplements taken electively.

SECTION 4. Section 4K of chapter 176B of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following 4 sentences:-

Any subscription certificate under an individual or group medical service agreement that shall be delivered, issued or renewed in the commonwealth shall provide, as benefits to all individual subscribers and members within the commonwealth, all group members having a principal place of employment within the commonwealth and all persons included in section 4C, coverage for the cost of enteral formulas for home use, whether administered orally or via tube feeding, for which a physician has issued a written order. Such written order shall state that the enteral formula is clearly medically necessary and has been proven effective as a disease-specific treatment regimen for those individuals who are or will become malnourished or suffer from disorders, which if left untreated, cause chronic physical or intellectual disability or death. Specific diseases for which enteral formulas have been proven effective shall include, but are not limited to, inherited diseases of amino acid or organic acid metabolism; eosinophilic gastrointestinal disorders; Crohn's Disease; gastroesophageal reflux with failure to thrive; disorders of gastrointestinal motility such as chronic intestinal pseudo-obstruction; and multiple, severe food allergies, which if left untreated will cause malnourishment, chronic physical or intellectual disability or death. Enteral formulas which are medically necessary and taken under written order from a physician for the treatment of specific diseases shall be distinguished from nutritional supplements taken electively.

SECTION 5. Section 4D of chapter 176G of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following 4 sentences:-

A group health maintenance contract shall provide coverage for the cost of enteral formulas for home use, whether administered orally or via tube feeding, for which a physician has issued a written order. Such written order shall state that the enteral formula is clearly medically necessary and has been proven effective as a disease-specific treatment regimen for those individuals who are or will become malnourished or suffer from disorders, which if left untreated, cause chronic physical or intellectual disability or death. Specific diseases for which enteral formulas have been proven effective shall include, but are not limited to, inherited diseases of amino acid or organic acid metabolism; eosinophilic gastrointestinal disorders; Crohn's Disease; gastroesophageal reflux with failure to thrive; disorders of gastrointestinal motility such as chronic intestinal pseudo-obstruction; and multiple, severe food allergies, which if left untreated will cause malnourishment, chronic physical or intellectual disability or death. Enteral formulas which are medically necessary and taken under written order from a physician for the treatment of specific diseases shall be distinguished from nutritional supplements taken electively.