

HOUSE BILL No. 5781

March 12, 2002, Introduced by Rep. Spade and referred to the Committee on Insurance and Financial Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 109h.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 109H. (1) BEGINNING JANUARY 1, 2003, THE DEPARTMENT OF
2 COMMUNITY HEALTH SHALL PROVIDE COVERAGE FOR LOW-PROTEIN MODIFIED
3 FOOD PRODUCTS SUBJECT TO BOTH OF THE FOLLOWING:

4 (A) THE LOW-PROTEIN MODIFIED FOOD PRODUCTS ARE PRESCRIBED
5 FOR THE THERAPEUTIC TREATMENT OF AMINO ACID DISORDERS.

6 (B) THE LOW-PROTEIN MODIFIED FOOD PRODUCTS ARE ADMINISTERED
7 UNDER THE DIRECTION OF A PHYSICIAN.

8 (2) COVERAGE UNDER THIS SECTION SHALL NOT HAVE DEDUCTIBLES
9 AND COPAYMENT PROVISIONS THAT ARE LESS FAVORABLE THAN THOSE FOR
10 PRESCRIPTION COVERAGE GENERALLY. COVERAGE UNDER THIS SECTION MAY
11 BE LIMITED TO A CAP OF \$4,000.00 PER PLAN YEAR ON BOTH INDIVIDUAL

1 MEDICAL FOOD EXPENDITURES AND MEDICAL FORMULAS. THIS \$4,000.00
2 CAP SHALL BE ADJUSTED ANNUALLY BY THE DEPARTMENT OF COMMUNITY
3 HEALTH PURSUANT TO THE CONSUMER PRICE INDEX.

4 (3) AS USED IN THIS SECTION:

5 (A) "CONSUMER PRICE INDEX" MEANS THE PERCENTAGE OF CHANGE IN
6 THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS IN THE UNITED
7 STATES CITY AVERAGE FOR ALL ITEMS FOR THE PRIOR 12-MONTH PERIOD
8 AS REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF
9 LABOR STATISTICS, AND AS CERTIFIED BY THE COMMISSIONER.

10 (B) "LOW-PROTEIN MODIFIED FOOD PRODUCT" MEANS A FOOD PRODUCT
11 THAT IS SPECIALLY FORMULATED TO HAVE LESS THAN 1 GRAM OF PROTEIN
12 PER SERVING. LOW-PROTEIN MODIFIED FOOD PRODUCT DOES NOT INCLUDE
13 A NATURAL FOOD THAT IS NATURALLY LOW IN PROTEIN.