

# HOUSE BILL No. 5152

August 30, 2007, Introduced by Reps. Alma Smith, Valentine and Dean and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
(MCL 500.100 to 500.8302) by adding section 3406s.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 3406S. (1) AN INSURER THAT DELIVERS, ISSUES FOR DELIVERY,  
2 OR RENEWS IN THIS STATE ON OR AFTER JANUARY 1, 2008 AN EXPENSE-  
3 INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICY OR CERTIFICATE THAT  
4 PROVIDES FOR PRESCRIPTION COVERAGE AND A HEALTH MAINTENANCE  
5 ORGANIZATION THAT ISSUES OR RENEWS A GROUP OR INDIVIDUAL CONTRACT  
6 ON OR AFTER JANUARY 1, 2008 THAT PROVIDES FOR PRESCRIPTION COVERAGE  
7 SHALL PROVIDE COVERAGE FOR AMINO ACID-BASED ELEMENTAL FORMULAS,  
8 REGARDLESS OF DELIVERY METHODS, FOR THE DIAGNOSIS AND TREATMENT OF  
9 ANY OF THE FOLLOWING:

10           (A) MULTIPLE FOOD ALLERGIES OR PROTEIN INTOLERANCES.

1 (B) EOSINOPHILIC DISORDERS.

2 (C) SHORT BOWEL SYNDROME.

3 (2) SUBSECTION (1) ONLY APPLIES IF THE INSURED'S OR ENROLLEE'S  
4 TREATING HEALTH CARE PROVIDER HAS ISSUED A WRITTEN TREATMENT PLAN  
5 AND ORDER STATING THAT THE AMINO ACID-BASED ELEMENTAL FORMULA IS  
6 MEDICALLY NECESSARY FOR THE TREATMENT OF THE DISEASE OR DISORDER.

7 (3) COVERAGE UNDER THIS SECTION SHALL NOT HAVE DEDUCTIBLES,  
8 COPAYMENT, COINSURANCE, DOLLAR LIMITS, OR DURATIONAL LIMITS THAT  
9 ARE LESS FAVORABLE THAN THOSE FOR PHYSICAL ILLNESS GENERALLY.