

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	4 - 1 - 0
Yeas:	Boquist, Burdick, Metsger, Devlin
Nays:	Ferrioli
Exc.:	-
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	6/12

WHAT THE MEASURE DOES: Exempts requirement that health insurance cover nonprescription elemental enteral formula for treatment of severe intestinal malabsorption from automatic six-year sunset provision. Applies to health insurance policies or certificates issued or renewed on or after effective date of this 2009 Act.

ISSUES DISCUSSED:

- Narrow applicability of coverage
- Permanency of exemption
- Applies to highly specialized formula primarily for infants and children

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: An elemental enteral formula is a solution containing some or all of the nutrients that the body needs to function. Severe intestinal malabsorption conditions, including Crohn's disease, arise from abnormality in digestion or absorption of food nutrients across the gastrointestinal (GI) tract. Impairment can be of single or multiple nutrients depending on the abnormality, which may lead to malnutrition and variety of anemia.

ORS 743A.001 requires the automatic repeal of certain statutes on individual and group health insurance. Any statute that requires an insurer to provide coverage or payment: for specific physical or mental conditions or specific hospital, medical, surgical or dental health services; for specified persons; or for services if the services are within the lawful scope of practice of the provider and the insurance policy provides payment or reimbursement for those services, are repealed on the sixth anniversary of the effective date of the statute, unless the Legislative Assembly specifically provides otherwise.

House Bill 3496 permanently reinstates the requirement for certain health insurance to cover nonprescription elemental enteral formula for treatment of severe intestinal malabsorption.