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LINDA RUTHARDT
COMMISSIONER

Bulletin No. 95-09

To: **Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts (BCBSMA), Health Maintenance Organizations (HMOs)**

From: Commissioner Linda Ruthardt

RE: **Continuation of Coverage for Inherited Diseases of Amino Acids and Organic Acids**

Date: **August 16, 1995**

This is a reminder that the enactment of two laws in 1994 has caused the mandated benefits coverage for inherited diseases of amino acids and organic acids to remain in effect beyond December 31, 1994: (1) **St. 1994, c. 60, § 199** which repealed St. 1993, c. 384, §§ 3, 5, 7, 9 and (2) **St. 1994, c. 60, § 199A** which amended St. 1993, c. 384, § 11. The enactment of these two laws results in the continuation of mandated coverage for inherited diseases of amino acids and organic acids as set forth in St. 1993, c. 384, §§ 2, 4, 6, 8 which is codified at G.L. c. 175, § 47I; G.L. c. 176A, § 8L; G.L. c. 176B, § 4D and; G.L. c. 176G, § 4D.

Therefore, the mandated benefits which commercial insurers, BCBSMA and HMOs are required to provide for enteral formulas and inherited diseases of amino acids and organic acids continues to be as follows:

> coverage for nonprescription enteral formulas for home use for which a physician has issued a written order and which are medically necessary for the treatment of malabsorbtion caused by Crohn's disease, ulcerative colitis, gastroesophageal reflux, gastrointestinal motility, chronic intestinal pseudo-obstruction, and inherited diseases of amino acids and organic acids. Coverage for inherited diseases of amino acids and organic acids shall include food products modified to be low protein in an amount not to exceed two thousand five hundred dollars annually for any insured individual.

The Division continues to require that coverage of these benefits be provided at either the same level or at a greater level as for any other service. All affected policies, certificates, evidences of coverage and contracts must be amended according to the above noted laws. Also, policyholders, subscribers and members must be notified of the new benefits and their effective dates.

Any questions regarding this bulletin should be directed to Caroline E. DeStefano, Assistant General Counsel, Office of the General Counsel at (617) 521-7364.