

1. SPECIALLY FORMULATED TO HAVE LESS THAN 1 GRAM OF PROTEIN PER SERVING; AND

2. INTENDED TO BE USED UNDER THE DIRECTION OF A PHYSICIAN FOR THE DIETARY TREATMENT OF AN INHERITED METABOLIC DISEASE.

(II) "LOW PROTEIN MODIFIED FOOD PRODUCT" DOES NOT INCLUDE A NATURAL FOOD THAT IS NATURALLY LOW IN PROTEIN.

(4) "MEDICAL FOOD" MEANS A FOOD THAT IS:

(I) INTENDED FOR THE DIETARY TREATMENT OF A DISEASE OR CONDITION FOR WHICH NUTRITIONAL REQUIREMENTS ARE ESTABLISHED BY MEDICAL EVALUATION; AND

(II) FORMULATED TO BE CONSUMED OR ADMINISTERED ENTERALLY UNDER THE DIRECTION OF A PHYSICIAN.

(B) SCOPE OF SECTION.

THIS SECTION APPLIES TO EACH INDIVIDUAL HOSPITAL OR MAJOR MEDICAL INSURANCE POLICY, GROUP OR BLANKET HEALTH INSURANCE POLICY, AND NONPROFIT HEALTH SERVICE PLAN THAT:

- (1) IS DELIVERED OR ISSUED FOR DELIVERY IN THE STATE;
- (2) IS WRITTEN ON AN EXPENSE-INCURRED BASIS; AND
- (3) PROVIDES COVERAGE FOR A FAMILY MEMBER OF THE INSURED.

(C) COVERAGE REQUIRED.

A POLICY OR PLAN SUBJECT TO THIS SECTION SHALL INCLUDE UNDER THE FAMILY MEMBER COVERAGE, COVERAGE FOR MEDICAL FOODS AND LOW PROTEIN MODIFIED FOOD PRODUCTS FOR THE TREATMENT OF INHERITED METABOLIC DISEASES IF THE MEDICAL FOODS OR LOW PROTEIN MODIFIED FOOD PRODUCTS ARE:

- (1) PRESCRIBED AS MEDICALLY NECESSARY FOR THE THERAPEUTIC TREATMENT OF INHERITED METABOLIC DISEASES; AND
- (2) ADMINISTERED UNDER THE DIRECTION OF A PHYSICIAN.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, §§ 354PP, 470FF, and 477PP.

In the introductory language of subsection (b) of this section, the reference to an "individual" hospital or major medical insurance policy is added to clarify the applicability of this section.

In the introductory language of subsection (c) of this section, the reference to a "policy subject to this section" is substituted for the former references to a "nonprofit health service plan", a "hospital or major medical insurance