

# SENATE HEALTH COMMITTEE

## STATEMENT TO

### **SENATE, No. 1887**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 12, 1997

The Senate Health Committee reports favorably with committee amendments Senate Bill No. 1887.

As amended by committee, this bill requires hospital, medical and health service corporations, individual, small employer and large group insurers and health maintenance organizations to provide coverage for the therapeutic treatment of inherited metabolic diseases, including the purchase of medical foods and low protein modified food products, when diagnosed and determined to be medically necessary by the covered person's physician.

The bill defines "inherited metabolic disease" as a disease caused by an inherited abnormality of body chemistry for which testing is mandated pursuant to P.L.1977, c.321 (C.26:2-110 et seq.), such as phenylketonuria (PKU). "Low protein modified food product" is a food product that is specially formulated to have less than one gram of protein per serving and is intended to be used under the direction of a physician for the dietary treatment of an inherited metabolic disease, but does not include a natural food that is naturally low in protein, and "medical food" is a food that is intended for the dietary treatment of a disease or condition for which nutritional requirements are established by medical evaluation and is formulated to be consumed or administered enterally under direction of a physician.

PKU is a rare genetic metabolic disease that results in mental retardation and neurological deterioration if a very strict low protein diet is not begun soon after birth and well-maintained. Specially formulated medical foods are critical in this diet management and are necessary to prevent mental retardation in the children who have PKU. Massachusetts, Connecticut and Maryland have adopted legislation to mandate insurance coverage for these medical foods.

The committee amended the bill to clarify in the definition of "inherited metabolic disease" that the term refers only to those diseases for which testing is mandated pursuant to N.J.S.A.26:2-110 et seq.