

## Substitute for HOUSE BILL No. 2103

By Committee on Insurance

2-9

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1 AN ACT concerning insurance; relating to the state employees health care  
2 commission; coverage for amino acid-based elemental formula.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) In the coverage for the next health plan coverage year  
6 commencing on January 1, 2019, the state employees health care  
7 commission shall provide for the coverage for amino acid-based elemental  
8 formula, regardless of delivery method, for the diagnosis or treatment of  
9 food protein-induced enterocolitis syndrome, eosinophilic disorders or  
10 short bowel syndrome, if prescribed by a prescriber, as defined by K.S.A.  
11 65-1626, and amendments thereto, authorized by the pharmacy act of the  
12 state of Kansas and the applicable medical professional licensure entity in  
13 the state of Kansas.

14 (b) (1) Pursuant to the provisions of K.S.A. 40-2249a, and  
15 amendments thereto, on or before March 1, 2020, the state employees  
16 health care commission shall submit to the president of the senate and to  
17 the speaker of the house of representatives a report including the following  
18 information pertaining to the mandated coverage for amino acid-based  
19 elemental formula provided during the plan year commencing on January  
20 1, 2019, and ending on December 31, 2019:

21 (A) The impact that the mandated coverage for amino acid-based  
22 elemental formula required by subsection (a) has had on the state health  
23 care benefits program;

24 (B) data on the utilization of coverage for amino acid-based elemental  
25 formula by covered individuals and the cost of providing such coverage  
26 for amino acid-based elemental formula; and

27 (C) a recommendation whether such mandated coverage for amino  
28 acid-based elemental formula should continue for the state health care  
29 benefits program or whether additional utilization and cost data is  
30 required.

31 (2) At the next legislative session following receipt of the report  
32 required in paragraph (1), the legislature may consider whether or not to  
33 require the coverage for amino acid-based elemental formula required by  
34 subsection (a) to be included in any individual or group health insurance  
35 policy, medical service plan, contract, hospital service corporation  
36 contract, hospital and medical service corporation contract, fraternal

1 benefit society or health maintenance organization that provides coverage  
2 for accident and health services and that is delivered, issued for delivery,  
3 amended or renewed in this state on or after July 1, 2021.

4 Sec. 2. This act shall take effect and be in force from and after its  
5 publication in the Kansas register.