

Summary of 2001 Public Acts
Connecticut General Assembly

PA 01-101 – SB 524

Insurance and Real Estate Committee

Public Health Committee

**AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR
MEDICALLY NECESSARY FORMULA FOR CHILDREN UP TO AGE THREE**

SUMMARY: Beginning October 1, 2001, this act requires individual and group health insurance policies to cover medically necessary specialized nutritional formula administered under a doctor's direction and used to treat disease and other conditions in children up to age three. The act defines "specialized formula" as a nutritional formula for children up to age three that is (1) used solely under medical supervision in the dietary management of specific diseases and (2) exempt from the general nutritional labeling requirements under federal Food and Drug Administration's (FDA) statutory and regulatory guidelines.

The requirement applies to hospital and medical coverage offered by HMOs and accident-only policies, and to health insurance policies that pay for (1) basic hospital expenses, (2) basic medical-surgical expenses, (3) major medical expenses, and (4) hospital or medical services. The plan or policy must be delivered, issued for delivery, or renewed in the state on or after October 1, 2001.

EFFECTIVE DATE: October 1, 2001

BACKGROUND

FDA Regulations

FDA regulations exempt infant formula from the general nutritional labeling requirements that apply, with exceptions, to products intended for human consumption (21 CFR § 101.9(a) and (j)(7)). Infant formula is regulated separately. The infant formula labeling regulations exempt certain types of formula that are represented and labeled for use by infants who have inborn metabolic disorders, low birth weights, or unusual medical or dietary problems. FDA distinguishes between two types of exempt formulas: those generally available and those that are not. The former are typically labeled for use to provide dietary management for diseases or conditions that are not clinically serious or life-threatening, although they can also be labeled for use for serious or life-threatening conditions. The latter are typically prescribed by physicians and must be requested from a pharmacist. They are labeled for dietary management of specific diseases or conditions that are clinically serious or life-threatening, and are generally required for prolonged periods (21 CFR § 107.50).