

NEW YORK CONSOLIDATED LAW SERVICE
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**** THIS SECTION IS CURRENT THROUGH THE 2004 LEGISLATIVE SESSION ****

INSURANCE LAW
ARTICLE 32. INSURANCE CONTRACTS--LIFE, ACCIDENT AND HEALTH,
ANNUITIES

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

NY CLS Ins § 3221 (2004)

New York State Insurance Law, Article 32, § 3216(i)(21):

(i) Every person insured under a policy of accident and health insurance delivered or issued for delivery in this state shall be entitled to the reimbursements and coverages specified below.

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* (21) Every policy which provides coverage for prescription drugs shall include coverage for the cost of enteral formulas for home use for which a physician or other licensed health care provider legally authorized to prescribe under title eight of the education law has issued a written order. Such written order shall state that the enteral formula is clearly medically necessary and has been proven effective as a disease-specific treatment regimen for those individuals who are or will become malnourished or suffer from disorders, which if left untreated, cause chronic physical disability, mental retardation or death. Specific diseases for which enteral formulas have been proven effective shall include, but are not limited to, inherited diseases of amino acid or organic acid metabolism; Crohn's Disease; gastroesophageal reflux with failure to thrive; disorders of gastrointestinal motility such as chronic intestinal pseudo-obstruction; and multiple, severe food allergies which if left untreated will cause malnourishment, chronic physical disability, mental retardation or death. Enteral formulas which are medically necessary and taken under written order from a physician for the treatment of specific diseases shall be distinguished from nutritional supplements taken electively. Coverage for certain inherited diseases of amino acid and organic acid metabolism shall include

modified solid food products that are low protein or which contain modified protein which are medically necessary, and such coverage for such modified solid food products for any calendar year or for any continuous period of twelve months for any insured individual shall not exceed two thousand five hundred dollars.