State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HOUSE BILL 2364

AN ACT

AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-826.03; AMENDING TITLE 20, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1057.10; AMENDING TITLE 20, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1342.05; AMENDING TITLE 20, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 20-1402.02 AND 20-1404.02; AMENDING TITLE 20, CHAPTER 13, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-2332; AMENDING TITLE 36, CHAPTER 29, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-2907.01 AND 36-2912.03; RELATING TO EOSINOPHILIC GASTROINTESTINAL DISORDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 20, chapter 4, article 3, Arizona Revised Statutes, is amended by adding section 20-826.03, to read:

20-826.03. Eosinophilic gastrointestinal disorder; formula

A. Any contract that is offered by a hospital service corporation or medical service corporation and that contains a prescription drug benefit shall cover amino acid-based formula that is ordered by a physician if:

1. The subscriber has been diagnosed with an eosinophilic gastrointestinal disorder.

2. The subscriber is under the continuous supervision of a physician who is licensed pursuant to title 32, chapter 13 or 17.

3. There is risk of a mental or physical impairment without the use of the formula.

B. A hospital service corporation or medical service corporation shall cover at least seventy-five per cent of the cost of the formula. The hospital service corporation or medical service corporation may limit the maximum annual benefit for formula under this section to twenty thousand dollars.

C. This section does not apply to limited benefit coverage as defined in section 20-1137.

Sec. 2. Title 20, chapter 4, article 9, Arizona Revised Statutes, is amended by adding section 20-1057.10, to read:

20-1057.10. Eosinophilic gastrointestinal disorder; formula

A. Any contract or evidence of coverage that is offered by a health care services organization and that contains a prescription drug benefit shall cover amino acid-based formula that is ordered by a physician if:

1. The enrollee has been diagnosed with an eosinophilic gastrointestinal disorder.

2. The enrollee is under the continuous supervision of a physician who is licensed pursuant to title 32, chapter 13 or 17.

3. There is risk of a mental or physical impairment without the use of the formula.

B. A health care services organization shall cover at least seventy-five per cent of the cost of the formula. The health care services organization may limit the maximum annual benefit for formula under this section to twenty thousand dollars.

C. This section does not apply to limited benefit coverage as defined in section 20-1137.

Sec. 3. Title 20, chapter 6, article 4, Arizona Revised Statutes, is amended by adding section 20-1342.05, to read:

20-1342.05. Eosinophilic gastrointestinal disorder; formula

A. Any policy of disability insurance that is offered by a disability insurer and that contains a prescription drug benefit shall cover amino acid-based formula that is ordered by a physician if:

1. The insured has been diagnosed with an eosinophilic gastrointestinal disorder.
2. The insured is under the continuous supervision of a physician who is licensed pursuant to Title 32, Chapter 13 or 17.

3. There is risk of a mental or physical impairment without the use of the formula.

B. A disability insurer shall cover at least seventy-five per cent of the cost of the formula. The disability insurer may limit the maximum annual benefit for formula under this section to twenty thousand dollars.

C. This section does not apply to limited benefit coverage as defined in Section 20-1137.

Sec. 4. Title 20, chapter 6, article 5, Arizona Revised Statutes, is amended by adding sections 20-1402.02 and 20-1404.02, to read:

20-1402.02. Eosinophilic gastrointestinal disorder; formula

A. Any group disability policy that is offered by a group disability insurer and that contains a prescription drug benefit shall cover amino acid-based formula that is ordered by a physician if:

1. The insured has been diagnosed with an eosinophilic gastrointestinal disorder.

2. The insured is under the continuous supervision of a physician who is licensed pursuant to Title 32, Chapter 13 or 17.

3. There is risk of a mental or physical impairment without the use of the formula.

B. A group disability insurer shall cover at least seventy-five per cent of the cost of the formula. The group disability insurer may limit the maximum annual benefit for formula under this section to twenty thousand dollars.

C. This section does not apply to limited benefit coverage as defined in Section 20-1137.

20-1404.02. Eosinophilic gastrointestinal disorder; formula

A. Any policy or contract that is offered by a blanket disability insurer and that contains a prescription drug benefit shall cover amino acid-based formula that is ordered by a physician if:

1. The insured has been diagnosed with an eosinophilic gastrointestinal disorder.

2. The insured is under the continuous supervision of a physician who is licensed pursuant to Title 32, Chapter 13 or 17.

3. There is risk of a mental or physical impairment without the use of the formula.

B. A blanket disability insurer shall cover at least seventy-five per cent of the cost of the formula. The blanket disability insurer may limit the maximum annual benefit for formula under this section to twenty thousand dollars.

C. This section does not apply to limited benefit coverage as defined in Section 20-1137.
Sec. 5. Title 20, chapter 13, article 1, Arizona Revised Statutes, is amended by adding section 20-2332, to read:

20-2332. Eosinophilic gastrointestinal disorder; formula
A. Any health benefit plan that is offered by an accountable health plan and that contains a prescription drug benefit shall cover amino acid-based formula that is ordered by a physician if:
1. The insured has been diagnosed with an eosinophilic gastrointestinal disorder.
2. The insured is under the continuous supervision of a physician who is licensed pursuant to Title 32, chapter 13 or 17.
3. There is risk of a mental or physical impairment without the use of the formula.
B. An accountable health plan shall cover at least seventy-five percent of the cost of the formula. The accountable health plan may limit the maximum annual benefit for formula under this section to twenty thousand dollars.
C. This section does not apply to limited benefit coverage as defined in section 20-1137.

Sec. 6. Title 36, chapter 29, article 1, Arizona Revised Statutes, is amended by adding sections 36-2907.01 and 36-2912.03, to read:

36-2907.01. Eosinophilic gastrointestinal disorder; formula
A. Any coverage that is offered by a contractor providing services to persons eligible pursuant to section 36-2901 and that contains a prescription drug benefit shall cover amino acid-based formula that is ordered by a physician if:
1. The person has been diagnosed with an eosinophilic gastrointestinal disorder.
2. The person is under the continuous supervision of a physician who is licensed pursuant to Title 32, chapter 13 or 17.
3. There is risk of a mental or physical impairment without the use of the formula.
B. This section does not apply to limited benefit coverage as defined in section 20-1137.

36-2912.03. Eosinophilic gastrointestinal disorder; formula
A. Any health benefit plan that is offered by a contractor to persons defined as eligible pursuant to section 36-2912 and that contains a prescription drug benefit shall cover amino acid-based formula that is ordered by a physician if:
1. The person has been diagnosed with an eosinophilic gastrointestinal disorder.
2. The person is under the continuous supervision of a physician who is licensed pursuant to Title 32, chapter 13 or 17.
3. There is risk of a mental or physical impairment without the use of the formula.
B. This section does not apply to limited benefit coverage as defined in section 20-1137.