

2025 Regular Session

HOUSE BILL NO. 467

BY REPRESENTATIVES HILFERTY AND MANDIE LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/HEALTH: Requires health insurance coverage for amino acid-based elemental formulas

1 AN ACT

2 To enact R.S. 22:1059.6 and R.S. 40:1081.13, relative to health insurance coverage; to
3 require coverage for amino acid-based elemental formulas for infants and children
4 when medically necessary; to provide application to Medicaid coverage; to provide
5 for application to coverage plans; to provide for effectiveness; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1059.6 is hereby enacted to read as follows:

9 §1059.6. Required coverage for amino acid-based elemental formulas

10 A. A health insurance issuer offering health coverage plans in this state that
11 provides benefits for maternity services shall provide coverage for amino acid-based
12 elemental formulas, regardless of the formula delivery method, to treat a child aged
13 two years or younger. Coverage applies pursuant to this Section if the child has been
14 diagnosed by a board-certified allergist or board-certified gastroenterologist and the
15 treating physician issues a written order stating that the amino acid-based elemental
16 formula is medically necessary to treat the child for any of the following:

17 (1) Immunoglobulin E and non-immunoglobulin E mediated allergies to
18 multiple food proteins.

19 (2) Severe food protein-induced enterocolitis syndrome.

1 (3) Eosinophilic disorders, as evidenced by the results of a biopsy.

2 (4) Impaired absorption of nutrients caused by disorders affecting the
3 absorptive surface, functional length, and motility of the gastrointestinal tract.

4 B. Coverage pursuant to this Section may be subject to annual deductibles,
5 coinsurance, and copayments consistent with those established under the health
6 coverage plan.

7 C.(1) A health coverage plan shall provide coverage pursuant to this Section
8 on a basis no less favorable than the basis on which prescription drugs and other
9 medications and related services are covered by the plan, and to the same extent that
10 the plan provides coverage for drugs that are available only on the orders of a
11 physician.

12 (2) A utilization review agent acting on behalf of a health coverage plan
13 issuer may review a treating physician's determination of the medical necessity of
14 the use of an amino acid-based elemental formula for the treatment of a covered
15 infant or child who is diagnosed with a disease or disorder listed in Subsection A of
16 this Section.

17 Section 2. R.S. 40:1081.13 is hereby enacted to read as follows:

18 §1081.13. Medicaid coverage; amino acid-based elemental formulas

19 A. The Louisiana Department of Health shall make available to persons who
20 are eligible for Medicaid benefits under Title XIX of the Social Security Act, 42
21 U.S.C. 1396 et seq., coverage for amino acid-based elemental formulas, regardless
22 of the formula delivery method, to treat a child aged two years or younger. Coverage
23 applies pursuant to this Section if the child has been diagnosed by a board-certified
24 allergist or board-certified gastroenterologist and the treating physician issues a
25 written order stating that the amino acid-based elemental formula is medically
26 necessary to treat the child for any of the following:

27 (1) Immunoglobulin E and non-immunoglobulin E mediated allergies to
28 multiple food proteins.

29 (2) Severe food protein-induced enterocolitis syndrome.

1 (3) Eosinophilic disorders, as evidenced by the results of a biopsy.

2 (4) Impaired absorption of nutrients caused by disorders affecting the
3 absorptive surface, functional length, and motility of the gastrointestinal tract.

4 B. Coverage provided pursuant to this Section may be subject to
5 copayments, deductibles, or other cost-sharing mechanisms.

6 C.(1) A health maintenance organization, health insurance organization, or
7 managed care organization that contracts with the state to provide or coordinate
8 healthcare services to any person eligible for Medicaid shall provide coverage on a
9 basis no less favorable than the basis on which prescription drugs and other
10 medications and related services are covered by the organization, and to the same
11 extent that the organization provides coverage for drugs that are available only on
12 the orders of a physician.

13 (2) A utilization review agent acting on behalf of an organization listed in
14 this Subsection may review a treating physician's determination of the medical
15 necessity of the use of an amino acid-based elemental formula for the treatment of
16 a covered infant or child who is diagnosed with a disease or disorder listed in
17 Subsection A of this Section.

18 Section 3. The provisions of this Act apply to any new policy, contract, or health
19 coverage plan issued on and after the January first immediately following the effective date
20 of this Act. Any policy, contract, or health coverage plan in effect prior to the January first
21 immediately following the effective date of this Act shall convert to conform to the
22 provisions of this Act on or before the renewal date or prior to the three hundred fifty-ninth
23 day following January first in which the provisions of this Act become applicable.

24 Section 4.(A) The provisions of Sections 1 through 3 of this Act shall become
25 effective when an Act of the Louisiana Legislature containing a specific appropriation of
26 monies for the implementation of the provisions of this Act becomes effective.

27 (B) The provisions of this Section shall become effective upon signature by the
28 governor or, if not signed by the governor, upon expiration of the time for bills to become
29 law without signature by the governor, as provided by Article III, Section 18 of the

1 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
2 legislature, the provisions of this Section shall become effective on the day following such
3 approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 467 Reengrossed

2025 Regular Session

Hilferty

Abstract: Requires health insurers, including Medicaid provider organizations, to cover amino acid-based elemental formulas for children aged two and younger with certain diagnoses.

Proposed law requires a health insurance issuer offering health coverage plans (plans) that provides benefits for maternity services to cover amino acid-based elemental formulas, regardless of formula delivery method, if a treating physician issues a written order stating that the formula is medically necessary to treat a child aged two or younger for certain mediated allergies to food proteins or other disorders affecting the absorptive abilities of the gastrointestinal tract. Requires the child to have a diagnosis from a board-certified allergist or gastroenterologist.

Proposed law applies to coverage through Medicaid plans and provider organizations.

Proposed law authorizes plans and Medicaid provider organizations to apply annual deductibles, coinsurance, copayments, or other established cost-sharing mechanisms.

Proposed law requires coverage on a basis no less favorable than the basis on which prescription drugs and other medications and related services are covered, and to the same extent that coverage is provided for drugs that are available only on the orders of a physician.

Proposed law authorizes a utilization review agent acting on behalf of a plan issuer or Medicaid provider organization to review a treating physician's determination of the medical necessity of the use of an amino acid-based elemental formula for the treatment of a covered infant or child who is diagnosed pursuant to proposed law.

Proposed law applies to any new policy, contract, or plan issued on and after Jan. first immediately following the effective date of proposed law. Requires any policy, contract, or plan in effect prior to Jan. first immediately following the effective date of proposed law to convert to conform to proposed law on or before the renewal date, but no later than 359 days after Jan. first in which proposed law becomes applicable.

Effective upon appropriation of funds by the legislature.

(Adds R.S. 22:1059.6 and R.S. 40:1081.13)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Specify coverage for children aged two years and younger and require such children to have a diagnosis from a board-certified allergist or gastroenterologist.
2. Apply proposed law to new policies, contracts, or plans issued on and after Jan. 1, 2026. Require existing policies, contracts, or plans to conform with proposed law by Jan. 1, 2027.

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Make effectiveness of proposed law subject to appropriation of monies by the legislature for the implementation of proposed law.