

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 397**

Introduced by Conrad, 46.

Read first time January 18, 2013

Committee: Banking, Commerce and Insurance

A BILL

- 1 FOR AN ACT relating to insurance; to require screening coverage for
- 2 amino acid-based formulas.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) Notwithstanding section 44-3,131, (a) any  
2 individual or group sickness and accident insurance policy,  
3 certificate, or subscriber contract delivered, issued for delivery,  
4 or renewed in this state and any hospital, medical, or surgical  
5 expense-incurred policy, except for short-term major medical policies  
6 of six months or less duration and policies that provide coverage for  
7 a specified disease or other limited-benefit coverage, and (b) any  
8 self-funded employee benefit plan to the extent not preempted by  
9 federal law shall include screening coverage for amino acid-based  
10 elemental formulas, regardless of delivery method, for the diagnosis  
11 and treatment of Immunoglobulin E and non-Immunoglobulin E mediated  
12 allergies to multiple food proteins, food-protein-induced  
13 enterocolitis syndrome, eosinophilic disorders, and impaired  
14 absorption of nutrients caused by disorders affecting the absorptive  
15 surface, functional length, and motility of the gastrointestinal  
16 tract, when the ordering physician has issued a written order stating  
17 that the amino acid-based elemental formula is medically necessary  
18 for the treatment of a disease or disorder.

19           (2) This section does not prevent application of  
20 deductible or copayment provisions contained in the policy,  
21 certificate, contract, or employee benefit plan or require that such  
22 coverage be extended to any other procedures.