

RÉSUMÉ DIGEST

ACT 367 (HB 467)

2025 Regular Session

Hilferty

New law requires a health insurance issuer offering health coverage plans (plans) that provide 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 of the gastrointestinal tract. Requires the child to have a diagnosis from a board-certified allergist or gastroenterologist.

New law requires coverage through Medicaid plans and provider organizations. Authorizes plans and Medicaid provider organizations to apply annual deductibles, coinsurance, copayments, or other established cost-sharing mechanisms.

New law requires coverage on a basis no less favorable than that of 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.

New 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 in accordance with new law.

New law applies to any new policy, contract, or plan issued on and after January 1st immediately following the effective date of new law. Requires any policy, contract, or plan in effect prior to January 1st to conform with new law on or before the renewal date, but no later than 359 days after January 1st of the year the new law takes effect.

New law may be cited as the "Darcy Evelyn Bivins Act."

Effective upon appropriation of funds by the legislature.

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