

By: Representative Ishee

To: Public Health and
Welfare; Appropriations

HOUSE BILL NO. 192

1 AN ACT TO CREATE NEW SECTION 41-21-204, MISSISSIPPI CODE OF
2 1972, TO ESTABLISH A PROGRAM TO PAY ALL OR PART OF THE COST OF
3 MEDICALLY NECESSARY FORMULAS FOR THE TREATMENT OF INHERITED
4 DISEASES OF AMINO ACID, ORGANIC ACID, CARBOHYDRATE OR FAT
5 METABOLISM, AND MALABSORPTION ORIGINATING FROM CONGENITAL DEFECTS,
6 AND FOOD PRODUCTS MODIFIED TO BE LOW PROTEIN; TO PROVIDE THAT THE
7 PROGRAM SHALL BE ADMINISTERED BY THE STATE DEPARTMENT OF HEALTH;
8 TO PROVIDE THAT THE PROGRAM SHALL BE FUNDED FROM MONIES
9 APPROPRIATED FROM THE HEALTH CARE EXPENDABLE FUND; AND FOR RELATED
10 PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 SECTION 1. The following shall be codified as Section

13 41-21-204, Mississippi Code of 1972:

14 41-21-204. (1) There is established a program to be
15 administered by the State Department of Health to pay for all or
16 part of the cost of prescription and nonprescription enteral
17 formulas for home use that are prescribed by a physician as
18 medically necessary for the treatment of inherited diseases of
19 amino acid, organic acid, carbohydrate or fat metabolism, as well
20 as malabsorption originating from congenital defects present at
21 birth or acquired during the neonatal period, and food products
22 modified to be low protein.

23 (2) The program shall consist of the following:

24 (a) Monetary assistance for recipients to purchase the
25 formulas and food products described in subsection (1) of this
26 section, which assistance may be in the form of:

27 (i) Vouchers to be used by recipients for
28 purchasing the formulas and food products; or

29 (ii) Reimbursement to recipients for the cost of
30 purchasing the formulas and food products; or



31 (b) Providing the formulas and food products directly
32 to the recipients; or

33 (c) A combination of paragraph (a) and (b) of this
34 subsection.

35 (3) The State Board of Health shall adopt rules and
36 regulations regarding:

37 (a) The criteria for eligibility to receive assistance
38 under the program, which shall include the maximum income and
39 resource levels that a family may have to be eligible for
40 assistance under the program;

41 (b) The amount of assistance that will be provided to
42 eligible recipients, which may include different levels of
43 assistance for different recipients based upon the recipient's
44 income and resources and relative need for the assistance; and

45 (c) Procedures for applying for assistance under the
46 program.

47 (4) The program shall be funded from monies appropriated
48 from the Health Care Expendable Fund established under Section
49 43-13-407 and from any other funds appropriated to or otherwise
50 made available to the State Department of Health for the purpose
51 of the program.

52 **SECTION 2.** This act shall take effect and be in force from
53 and after July 1, 2003.

