
Healthcare Nutrition Council

529 14th Street, NW • Suite 750 • Washington, DC 20045

The Honorable Andrew Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12247

RE: HNC Support for New York Senate Bill 8924 (Assembly Bill 11043)

Dear Governor Cuomo:

The Healthcare Nutrition Council (HNC)*, representing the manufacturers of enteral and parenteral nutrition formulas, solutions, supplies, and equipment, is writing to express our strong support for New York State Senate Bill 8924, which would mandate insurance coverage for enteral formulas prescribed for home use, whether administered orally or via tube feeding. HNC supports this bill because it will ensure that patients have access to enteral formulas when deemed medically necessary for the management of specific diseases and disorders, including but not limited to, inherited diseases of amino acid or organic acid metabolism, Crohn's Disease, gastroesophageal reflux, and multiple, severe food allergies.

Patients with these chronic diseases, disorders and medical conditions often suffer from malnutrition or other medical complications. Many of these patients' anatomy require a specifically formulated or specialized diet that is referred to as an elemental amino acid-based or peptide-based diet. Such diets are specially designed to help them properly digest essential nutrients, stay healthy, and to support growth and development in children. Malnutrition and other complications can arise in these vulnerable patients as a result of their underlying conditions that may impair their ability to absorb nutrients from conventional foods. When patients become malnourished, they are at a significantly higher risk for negative complications, including mortality.ⁱ

Despite these potential complications and the clear benefits such specialized products provide to patients, many families lack access to elemental enteral formulas.ⁱⁱ HNC supports the increased access to specialized enteral formulas for home use, due to the fact that enteral formulas contribute to the intervention for malnutrition and may help manage chronic diseases and/or medical conditions at home. To help ensure patients with specific diseases and disorders (i.e., disorders of gastrointestinal motility, severe food protein induced enterocolitis syndrome) receive access, HNC encourages the New York State Senate to quickly bring Senate Bill 8924 up for Committee consideration, pass this legislation, and ensure this important bill is signed into New York State law. Enactment of this legislation will directly benefit patients and their families and will also preemptively address the complications and added medical expenses associated with the management of these conditions.

Importance of Enteral Formulas for Home Use

Interventions recommended by healthcare providers for patients with impaired or compromised GI function typically include some type of specialized nutritional support.ⁱⁱⁱ Enteral formulas for home use are deemed necessary by many health care providers for those patients who cannot tolerate hydrolyzed protein or need an amino acid-based medical food.^{iv} Without these specialized formulas, which include elemental formulas for various life stages, infants, children, and adults can suffer adverse health consequences, including hospitalization, inadequate growth, nutrient deficiencies, or even death.^v Because of how they are formulated, these products require minimal digestive function to be broken down and absorbed, making it easy to digest for patients in a malabsorptive state.^{vi} Many patients rely on enteral formulas to help intervene with and manage chronic medical conditions, complications and comorbidities related to the poor absorption of nutrients because such nutrients would be otherwise unavailable to them through a conventional diet.

Depending on the patient's disease state and other underlying medical conditions, enteral formulas may be fed directly into the GI tract through a nasogastric, gastrostomy, jejunostomy or other type of feeding tube. Enteral formulas may also be administered orally as oral nutrition supplements (ONS) for patients who are able to swallow normally. For example, enteral formulas provide infants with short bowel syndrome, who often cannot absorb protein unless it is broken down into its component amino acids, with essential nutrients as a specialized nutritional formula.^{vii} Similarly, almost all infants suffering from severe food allergies can tolerate hypoallergenic enteral formulas, while some infants with milk protein allergies cannot properly digest alternative formula options, such as hydrolyzed formulas.^{viii} Consuming these elemental formulas orally or by tube feeding is essential to patients suffering from specified digestive and inherited metabolic disorders as a therapeutic treatment and should be covered by health insurance. If these infant, pediatric, and adult populations do not receive treatment with enteral formulas, malnutrition and associated severe medical complications can occur, which can be life-threatening. Additionally, the growth and development of infants and children can be compromised.^{ix x}

Lastly, it is more beneficial and cost-effective for patients who require enteral formulas to be treated at home instead of in a hospital or alternative healthcare setting. These enteral formulas are not optional to the patients that receive them and they must be administered regardless of where the patient accesses the formulas. If there is a lack of access to these products, a patient is at risk for becoming malnourished. The economic burden of malnutrition across care settings in the United States was estimated at \$157 billion in 2014.^{xi} It would be more economically feasible for patients to have access to these enteral formulas for use at home, so they can remain well-nourished and avoid subsequent readmissions into hospitals or other healthcare settings. Due to the critical nutrition that enteral formulas for home use provides patients, HNC believes that these products should be made available to all patients, including those receiving care at home, if they have a diagnoses or condition for which such products are clinically indicated.

Conclusion

Given the importance of enteral formulas for certain patient populations, HNC supports New York Senate Bill 8924 and enthusiastically encourages its enactment into law. We commend the New York State Assembly for recognizing the gap in insurance coverage for these important enteral formulas for home use that are needed to help intervene with and manage many chronic medical conditions, complications, and comorbidities. We believe that by passing this legislation and making these specialized enteral formulas for home use accessible for numerous New York patients, there will be an immediate and meaningful impact on patient access to critical nutrition.

HNC welcomes the opportunity to work with the New York Senate Committees, relevant stakeholders, doctors, and patient groups to identify additional disease states where enteral formulas for home use would be deemed clinically necessary by a health care professional for use as a nutritional intervention method.

Thank you for the opportunity to comment on this bill. If you have any questions or would like additional information, please contact me at ncayce@kellencompany.com or 202-207-1126.

Sincerely,



Nadia Cayce
Executive Director
Healthcare Nutrition Council

***About HNC:** *The Healthcare Nutrition Council (HNC) is an organization representing the manufacturers of enteral nutrition formulas, parenteral nutrition solutions, supplies and equipment. HNC member companies are Abbott Nutrition, B. Braun Medical, Nestlé Health Science and Nutricia North America. We are committed to improving health by advancing policies that address and raise awareness of nutrition and its impact on patient outcomes and healthcare costs. This includes promoting nutritional screenings, diagnoses, assessments and appropriate and timely nutrition clinical interventions while protecting patients' access to specialized nutrition support products and services throughout the continuum of care. For more information on HNC, please visit <https://healthcarenutrition.org>.*

References

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- ⁱⁱⁱ Id.
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- ^v Coleman MS, Kellermann A, Andersen R, et. al: Health Insurance is a Family Matter. *Insurance Health*. Institute of Medicine of the National Academies. National Academy of Sciences. 2002; 122-123.
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- ^{xi} Snider J, et al: Economic burden of community-based disease-associated malnutrition in the United States. *JPEN J Parenteral Enteral Nutr*. 2014;38:55-165.