

American Academy of Pediatrics

DEDICATED TO THE HEALTH OF ALL CHILDREN™



AAP Headquarters

141 Northwest Point Blvd
Elk Grove Village, IL 60007-1098
Phone: 847/434-4000
Fax: 847/434-8000
E-mail: kidsdocs@aap.org
www.aap.org

Reply to Department of Federal Affairs

Homer Building, Suite 400 N
601 13th St NW
Washington, DC 20005
Phone: 202/347-8600
Fax: 202/393-6137
E-mail: kids1st@aap.org

Executive Committee

President
Judith S. Palfrey, MD, FAAP

President-Elect
O. Marion Burton, MD, FAAP

Immediate Past President
David T. Tayloe, Jr, MD, FAAP

Executive Director/CEO
Errol R. Alden, MD, FAAP

Board of Directors

District I
Edward N. Bailey, MD, FAAP
Salem, MA

District II
Henry A. Schaeffer, MD, FAAP
Brooklyn, NY

District III
Sandra Gibson Hassink, MD, FAAP
Wilmington, DE

District IV
Francis E. Rushton, Jr, MD, FAAP
Beaufort, SC

District V
Marilyn J. Bull MD, FAAP
Indianapolis, IN

District VI
Michael V. Severson, MD, FAAP
Brainerd, MN

District VII
Kenneth E. Matthews, MD, FAAP
College Station, TX

District VIII
Mary P. Brown, MD, FAAP
Bend, OR

District IX
Myles B. Abbott, MD, FAAP
Berkeley, CA

District X
John S. Curran, MD, FAAP
Tampa, FL

January 5, 2010

The Honorable John Kerry
218 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Kerry:

The American Academy of Pediatrics (AAP), a non-profit professional organization of 60,000 primary care pediatricians, pediatric medical sub-specialists, and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults, would like to share our support for S. 2766, the Medical Foods Equity Act.

Since 2003, AAP has advocated for all foods for special dietary use with accepted benefits for treatment of a medical condition to be reimbursable as a medical expense and to require medical insurance coverage for medically necessary foods.¹ Although more than 30 states have passed laws requiring reimbursement for foods for special dietary use, no federal law exists to mandate consistent coverage and reimbursement for medical foods with specific medical benefits for children with designated medical conditions. The Medical Foods Act of 2009 aims to address this inequality and require medically necessary foods, vitamins and amino acids prescribed by a medical provider to be covered under medical and prescription drug benefits.

The Medical Foods Equity Act would require that medically necessary foods, necessary medical equipment and supplies be covered as medical benefits by all federal insurance programs, insurance plans governed by ERISA, and private and group insurance markets. The bill would also require insurance plans to cover vitamins and amino acids prescribed by a medical provider for the treatment of inborn errors of metabolism to the same extent as other prescription drugs. AAP appreciates the requirement that medically necessary foods must be administered under the supervision of a medical provider and that special vitamins or amino acids would be prescribed by a medical provider to assure appropriate use.

The American Academy of Pediatrics appreciates your commitment to the health and well-being of our nation's children. We are pleased to support this legislation and look forward to working with you toward its successful passage.

Sincerely,

A handwritten signature in black ink that reads "Judith S. Palfrey".

Judith S. Palfrey, MD FAAP
President

JSP:km

¹ American Academy of Pediatrics, Committee on Nutrition. Reimbursement for Foods for Special Dietary Use. *Pediatrics*. May 2003; 111: 1117-1119.