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**Rules of**  
**Department of Health**  
**Division 40—Division of Maternal, Child and**  
**Family Health**  
**Chapter 7—Formula Distribution**

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## Title 19—DEPARTMENT OF HEALTH

### Division 40—Division of Maternal, Child and Family Health

#### Chapter 7—Formula Distribution

#### 19 CSR 40-7.010 Definitions

*PURPOSE: This rule defines the terms used in this chapter.*

(1) Client is a person who meets eligibility requirements as defined by 19 CSR 40-7.020 Program Eligibility, and is approved for participation in the phenylketonuria (PKU) program.

(2) Department is the Missouri Department of Health.

(3) Formula Distribution Program (FDP) is a program of the department through which low-protein formula, a special dietary product, is provided to individuals diagnosed as having PKU, maple syrup urine disease (MSUD) and other metabolic conditions as approved by the Newborn Screening Standing Committee. The Newborn Screening Standing Committee, a subcommittee of the Missouri Genetic Advisory Committee, makes recommendations on newborn screening issues.

(4) Maple syrup urine disease (MSUD) is a metabolic disorder due to a defect in the enzyme that is responsible for the metabolism of the essential branched-chain amino acids isoleucine, leucine and valine.

(5) Metabolic treatment center is a medical facility with the capacity to diagnosis metabolic conditions and to provide comprehensive medical management.

(6) Phenylketonuria (PKU) is a hereditary disorder of phenylalanine metabolism characterized by brain damage and mental retardation due to accumulation of toxic metabolic products.

(7) Resident is an individual being present in Missouri with the intention to abandon their previous domicile and to remain in Missouri permanently.

(8) This rule expires on June 30, 2002.

*AUTHORITY: sections 191.300–191.380, RSMo (1994 and Supp. 1995). \* Emergency rule filed Aug. 19, 1996, effective Aug. 29, 1996, expired Feb. 24, 1997. Original rule filed Aug. 15, 1996, effective Jan. 30, 1997.*

*\*Original authority: 191.300–191.310, RSMo (1985); 191.315, RSMo (1985), amended 1993, 1995; 191.317–191.325, RSMo (1985); 191.331, RSMo (1965), amended 1985, 1992, 1993, 1995; 191.335, RSMo (1979); 191.340, RSMo (1979), amended 1985; 191.360–191.362, RSMo (1983); and 191.365–191.380, RSMo (1985).*

#### 19 CSR 40-7.020 Program Eligibility

*PURPOSE: The Department of Health (DOH) provides low-protein formula, a special dietary product, to individuals diagnosed as having phenylketonuria (PKU), maple syrup urine disease (MSUD) and other metabolic conditions as approved by the Newborn Screening Standing Committee. This rule establishes the criteria by which the Formula Distribution Program accepts clients for service.*

(1) Conditions of eligibility for the Formula Distribution Program (FDP) include:

(A) A client must be diagnosed as having phenylketonuria (PKU), maple syrup urine disease (MSUD) or other metabolic condition as approved by the Newborn Screening Standing Committee. The diagnosis must be made by a physician who practices at a metabolic treatment center;

(B) A client must be a resident of Missouri and cannot reside in a state facility;

(C) A client must be financially eligible for FDP as defined by this rule;

(D) The physician treating the client must submit the following information to the department:

1. A letter requesting the client be put on the FDP;

2. The name and address of the client; and

3. A prescription, signed by the treating physician, stating the name of the low-protein formula, a special dietary product, the individual will be using; and

(E) Financial eligibility guidelines for enrollment in the FDP shall be based upon the Poverty Income Guidelines as established by the United States Department of Health and Human Services. Determination of individual client eligibility shall be based upon the following:

1. Total adjusted gross income shall not exceed one hundred and eighty-five percent (185%) of the federal poverty income guidelines for the family size as stated in subsection (1)(E) of this rule;

2. Size of family unit shall be the number of persons in the household, including the responsible party(ies) and dependents allowable by the Internal Revenue Service as federal income tax exemptions. If there is more

than one (1) eligible FDP client in the household, the total family size shall be increased by one (1) unit for each additional client. The family size may be increased by two (2) additional family members per affected child for the cost of low-protein formula, a special dietary product; and

3. Funding to eligible clients may be adjusted by the department based on available funding.

(2) This rule expires on June 30, 2002.

*AUTHORITY: sections 191.300–191.380, RSMo (1994 and Supp. 1995). \* Original rule filed Aug. 15, 1996, effective Jan. 30, 1997.*

*\*Original authority: 191.300–191.310, RSMo (1985); 191.315, RSMo (1985), amended 1993, 1995; 191.317–191.325, RSMo (1985); 191.331, RSMo (1965), amended 1985, 1992, 1993, 1995; 191.335, RSMo (1979); 191.340, RSMo (1979), amended 1985; 191.360–191.362, RSMo (1983); and 191.365–191.380, RSMo (1985).*

#### 19 CSR 40-7.030 Client Responsibilities

*PURPOSE: This rule establishes how clients maintain program eligibility.*

(1) The client or the client's parent(s) or legal guardian shall provide the department with accurate information concerning their financial status.

(2) The client or the client's parent(s) or legal guardian shall meet the following requirements:

(A) Complete a Formula Distribution Program (FDP) application and submit a copy of their most current 1040 tax form;

(B) Report any major changes in income, household composition, insurance, Medicaid coverage or address within ten (10) working days after the date the client or the client's parent(s) or legal guardian becomes aware of the change; and

(C) When the client is eligible, payments shall be made for such services through Medicaid or other insurance benefits available to the client to the fullest possible extent. The benefits available under the provisions of section 191.331, RSMo (1994) shall not replace those provided under other federal or state law or under other contractual or legal entitlements of the persons receiving them.

(3) To maintain eligibility, a client shall submit a new application prior to the end of the eligibility period. An eligibility period shall be the year following the anniversary date of original application or year following the date



of the filing of a new 1040 tax form. Each new application submitted must meet the eligibility requirements.

(4) Sections (1)–(3) of this rule are mandatory. If these requirements are not met by the client or the client’s parent(s) or legal guardian, the FDP may discontinue services.

(5) Any applicant determined ineligible for the FDP may reapply based on changes which may make them eligible.

(6) When an application is denied, the applicant shall be informed of the right to appeal.

(7) This rule expires on June 30, 2002.

*AUTHORITY: sections 191.300–191.380, RSMo (1994 and Supp. 1995). \* Emergency rule filed Aug. 19, 1996, effective Aug. 29, 1996, expired Feb. 24, 1997. Original rule filed Aug. 15, 1996, effective Jan. 30, 1997.*

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