

NUTRITIONAL SCORECARD ON THE MAINE LEGISLATURE

State Representative Andrea Boland (now an NHF member) launched what could most accurately be called a nutrition-and-safety offensive in this session of the Maine legislature. She initiated the following pieces of legislation (and credits NHF Board of Governors member Pamela Gerry for excellent support and advice):

1. A bill to provide greater transparency in vaccinations, by requiring those who administer vaccines to children to provide parents and guardians with information showing the ingredients in the vaccine(s) and advising them that they have the right to decline (as they do under Maine State law). This would support informed consent and assure that parents are being given accurate information. Pamela Gerry has been central to getting this initiative in focus, and gave oral and written testimony about how parents are not getting adequate information and support in exercising their rights. The Department of Health and Human Services, the Maine Medical Association, and the Maine Chapter of the American Academy of Pediatrics opposed the legislation. Committee members spoke about their concern that if parents were alerted to ingredients and their right to decline, they might decline to vaccinate. The House Chair, a nurse practitioner, commented that it was her most well-informed parents who were apt to decline. The Committee, composed largely of health-care professionals, unanimously voted "ought not to pass." A similar piece of legislation was offered in Connecticut, with a \$500 penalty for failing to so inform. It, too, did not succeed.

2. Another bill to mandate that health insurers provide coverage for nutritional programs and products that a physician recommends for his/her patient. The Insurance and Financial Affairs Committee found the bill to be too broad, but it gained two of the thirteen votes, so it will go to the floor. An amendment is being drafted to narrow the language to include "medically necessary" and "doctor ordered," in response to committee concerns, and in hopes of gaining more votes when it gets to the floor. The original bill would have included nutritional counseling, diet, supplements, and the like; but the final bill may be limited to the wording used for enteral formula laws in New York and Massachusetts, simply to open the door. Pamela Gerry and other health-care providers and patients gave excellent written and oral testimony.



State
Representative
Andrea Boland



NHF
Board Member
Pamela Gerry

3. A bill to provide coverage for enteral formulas for those on MaineCare (Medicaid) in a more inclusive way than current law provides – taking more factors of disease into account when giving prior approval, and considering choices that are not on the Federal list of approved products. As it stands now, Maine (and probably most States) chooses from the Federal list because the Federal match is 65% of the cost. Many are heavily sugar-laden formulas lacking true nutritional value. Andrea's quite-reasonable suggestion was that there may be more-effective and more-nutritious products *at a lower cost* such that even were the State to pay 100% of the cost, it would still be cheaper and more beneficial. The MaineCare Department, completely unable to think outside the box, argued strenuously against this, and the Health and Human Services Committee voted unanimously "ought not to pass."

4. A bill to add one member to the Advisory Council on Health Systems Development, which additional member would be from the discipline of food science. There are currently 19 members, but mostly in the fields of health care and insurance. Andrea Boland's contention is that we need to know more about what food can provide for health and such a member could help inform the State healthcare system. This went before Health and Human Services on April 7, 2009.

5. And a bill to establish a schoolchildren's well-being stakeholder group to identify options and alternatives to improve and maintain the nutritional well-being of schoolchildren, with emphases on the ADD/ADHD/autism spectrum, behavioral disorders, and obesity. It would include farmers, food scientists, nutritionists, school nurses, teachers, parents, and other interested parties. This has not yet been scheduled, but is likely to go before the Education and Cultural Affairs Committee and the Health and Human Services Committee. The goal is to invite all those who care and wish to contribute to the conversation.

Ms. Boland is describing these initiatives as linked to the Governor's State of the State Address, in which he announced the establishment of Maine's Universal Wellness program – to "help every Mainer know, understand and take action to reduce health risks and prevent disease." In his speech he said, "Chronic illness, like diabetes, asthma, heart and lung diseases, accounts for about 30 percent of premium costs or about \$350 million a year in Maine. That's spending on poor health that in most cases is preventable."

In initiating so much legislation, Boland's hope is to provide many options for opening the door to nutritional awareness and strategies for wellness and prevention. None of her legislation has passed thus far, in spite of stunning research, testimony, articles, and support from a U.S. Congressman. The CDC, insurance companies, and professional health associations typically line up in opposition, and the committees of jurisdiction are strongly persuaded by them.

By no means is Andrea Boland a one-issue legislator, but she is the only one in the Maine State Legislature promoting nutritional wellness. She has also introduced legislation concerning the structural integrity of commercial buildings, prison reform, and support for adoptive parents of special-needs children, all while serving on the State and Local Government Committee of the Maine State Legislature. 

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