

2020 Regular Session

SENATE BILL NO. 314

BY SENATOR BARROW

GROUP BENEFITS PROGRAM. Requires the state Office of Group Benefits to cover bariatric surgery techniques for the treatment of severe obesity. (7/1/20)

AN ACT

To enact R.S. 42:855, relative to the Office of Group Benefits; to require coverage for the treatment of morbid obesity; to define morbid obesity and body mass index; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:855 is hereby enacted to read as follows:

§855. Morbid obesity; coverage required

A. The legislature hereby finds and declares that obesity is a significant health problem affecting hundreds of thousands of Louisiana residents. Morbid obesity increases the mortality rate more than threefold, causes physical and emotional disability, and is often associated with comorbid health conditions, including hypertension, cardiopulmonary conditions, and diabetes, all of which compound the impact of obesity on longevity and quality of life. Obese Louisiana residents are more likely to have diabetes and high blood pressure than those who are not obese. Therapeutic interventions can alter the course and severity of obesity and morbid obesity has successfully been treated through established surgical treatments.

B.(1) As used in this Section, the term "morbid obesity" means either
of the following:

(a) A body mass index equal to or greater than forty kilograms per meter squared.

(b) A body mass index equal to or greater than thirty-five kilograms per meter squared along with an associated comorbidity including but not limited to hypertension, cardiopulmonary conditions, sleep apnea, or diabetes.

(2) As used in this Section, the term "body mass index" means a practical marker used to assess the degree of obesity, calculated by dividing the weight in kilograms by the height in meters squared.

C.(1) The Office of Group Benefits programs shall offer a provision stating that benefits shall be payable for the treatment of morbid obesity, as defined in Paragraph (B)(1) of this Section, through gastric bypass surgery or other methods as may be recognized by the National Institutes of Health as effective for the long-term reversal of morbid obesity.

(2) The coverage required pursuant to this Section for bariatric surgery shall be limited to facilities of surgical services that are accredited by the Metabolic and Bariatric Surgery Accreditation and Quality Improvement Program of the American College of Surgeons and the American Society for Metabolic Bariatric Surgery as a comprehensive bariatric facility.

Section 2. This Act shall become effective on July 1, 2020. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2020.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

SB 314 Original

2020 Regular Session

Barrow

Proposed law defines "morbid obesity" as a body mass index (BMI) of at least 40 or a BMI of at least 35 along with comorbidity or existing medical conditions such as hypertension, cardiopulmonary conditions, sleep apnea, or diabetes.

Proposed law requires the Office of Group Benefits to offer a provision stating that benefits

shall be payable for the treatment of morbid obesity through gastric bypass surgery or other methods recognized by the National Institutes of Health as effective for the long-term reversal of morbid obesity.

Proposed law provides that the coverage required pursuant to proposed law for bariatric surgery shall be limited to facilities of surgical services that are accredited by the Metabolic and Bariatric Surgery Accreditation and Quality Improvement Program of the American College of Surgeons and the American Society for Metabolic Bariatric Surgery as a comprehensive bariatric facility.

Effective July 1, 2020.

(Adds R.S. 42:855)