

2015 Regular Session

SENATE BILL NO. 173

BY SENATOR HEITMEIER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH CARE. Provides for treatment of morbid obesity. (10/1/15)

AN ACT

To enact R.S. 22:1055, relative to morbid obesity; to provide for health insurance coverage for the treatment of morbid obesity; to provide for definitions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1055 is hereby enacted to read as follows:

§1055. Health insurance coverage for the treatment of morbid obesity; definitions

A. As used in this Section , the following definitions shall apply:

(1) "Body mass index" means a practical marker used to assess the degree of obesity and is calculated by dividing the weight in kilograms by the height in meters squared.

(2) "Morbid obesity" means either one 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

1 to hypertension, cardiopulmonary conditions, sleep apnea, or diabetes.

2 B.(1) Any hospital, health, or medical expense insurance policy, hospital
 3 or medical service contract, health and accident insurance policy, or any other
 4 contract of this type providing comprehensive major medical benefits, including
 5 a group insurance plan, or any policy of family group, blanket, or association
 6 health and accident insurance, a self-insurance plan, an employee welfare
 7 benefit plan, or a health maintenance organization subscriber agreement which
 8 is issued or renewed in this state on or after October 1, 2015, the office of group
 9 benefits programs, or, notwithstanding the provisions of R.S. 22:1106, any
 10 prepaid entity that participates in the Louisiana Medicaid Program shall
 11 provide coverage for the medically necessary expenses of the diagnosis and
 12 treatment of morbid obesity, including but not limited to bariatric surgery,
 13 physician office visits, health and behavior assessments, nutrition education,
 14 patient self-management education and training, and therapeutic exercises.

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

20 Section 2. This Act shall become effective on October 1, 2015.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

SB 173 Original

2015 Regular Session

Heitmeier

Proposed law provides for health insurance coverage for the treatment of morbid obesity.

Proposed law defines "body mass index" to mean a practical marker used to assess the degree of obesity and is calculated by dividing the weight in kilograms by the height in meters squared.

Proposed law defines "morbid obesity" to mean either:

- (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.

Proposed law provides any hospital, health, or medical expense insurance policy, hospital or medical service contract, health and accident insurance policy, or any other contract of this type providing comprehensive major medical benefits, including a group insurance plan, or any policy of family group, blanket, or association health and accident insurance, a self-insurance plan, an employee welfare benefit plan, or a health maintenance organization subscriber agreement which is issued or renewed in this state on or after October 1, 2015, the office of group benefits programs, or, notwithstanding the provisions of present law, any prepaid entity that participates in the Louisiana Medicaid Program shall provide coverage for the medically necessary expenses of the diagnosis and treatment of morbid obesity, including but not limited to bariatric surgery, physician office visits, health and behavior assessments, nutrition education, patient self-management education and training, and therapeutic exercises.

Proposed law provides 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 American Society of Metabolic Bariatric Surgery as a comprehensive bariatric facility.

Effective October 1, 2015.

(Adds R.S. 22:1055)