

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 the condition that exists when a person has a body mass index greater than forty kilograms per meter squared and also has the two comorbidity factors of diabetes and hypertension.

B.(1) Any group insurance plan providing comprehensive major medical benefits which is issued or renewed in this state on or after October 1, 2015, or

1 notwithstanding the provisions of R.S. 22:1016, any prepaid entity that
 2 participates in the Louisiana Medicaid Program shall provide coverage for the
 3 medically necessary expenses of the diagnosis and treatment of morbid obesity
 4 as defined in this Section, including but not limited to bariatric surgery,
 5 physician office visits, health and behavior assessments, nutrition education,
 6 patient self-management education training, and therapeutic exercises. This
 7 provision shall not apply to the Office of Group Benefits.

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

13 (3) Notwithstanding any provision of law to the contrary, the fee
 14 schedule used for the payment of services associated with the treatment of
 15 morbid obesity shall be the same as the fee schedule used by the Louisiana
 16 Medicaid Bayou Health program.

17 C. The Heads Up Program, which operates as a partnership between the
 18 Office of Group Benefits and the Pennington Biomedical Research Center, shall
 19 continue to serve one hundred surgical participants annually through June 30,
 20 2017, or beyond, at the discretion of the Office of Group Benefits.

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

The original instrument was prepared by Christopher D. Adams. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jay Lueckel.

SB 173 Reengrossed

DIGEST
2015 Regular Session

Heitmeier

Proposed law provides for health insurance coverage for the treatment of morbid obesity which is defined as the condition that exists when a person has a body mass index greater than 40 kilograms per meter squared and also has the two comorbidity factors of diabetes and hypertension.

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 requires any group insurance plan providing comprehensive major medical benefits which is issued or renewed in this state on or after October 1, 2015, or notwithstanding the provisions of R.S. 22:1016, any prepaid entity that participates in the Louisiana Medicaid Program to provide coverage for the medically-necessary expenses of the diagnosis and treatment of morbid obesity as defined in proposed law, including but not limited to bariatric surgery, physician office visits, health and behavior assessments, nutrition education, patient self-management education training, and therapeutic exercises. This provision shall not apply to the office of Group Benefits.

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.

Proposed law requires the fee schedule used for payment of services associated with the treatment of morbid obesity to be the same as the fee schedule used by the Louisiana Medicaid Bayou Health program.

Proposed law requires the Heads Up Program operated by the office of Group Benefits and the Pennington Biomedical Research Center to continue to serve 100 surgical participants annually through June 30, 2017, or beyond, at the direction of the office of Group Benefits.

Effective October 1, 2015.

(Adds R.S. 22:1055)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Defines morbid obesity.
2. Restricts application only to group health plans.
3. Requires the use of the Louisiana Medicaid Bayou Health fee schedule.
4. Requires the Heads Up program to seek to increase its number of participants to 300 per year by 2018.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Clarifies that any group insurance plan offering major medical shall provide coverage relative to morbid obesity, but such provisions shall not apply to the office of Group Benefits (OGB).
2. Provides that the Heads Up Program which operates in partnership with OGB shall continue to serve 100 surgical participants annually through June 30, 2017, or beyond, at the direction of OGB.
3. Technical amendment.