



General Assembly

January Session, 2021

***Raised Bill No. 1007***

LCO No. 3318



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:  
(INS)

***AN ACT REQUIRING HEALTH INSURANCE AND MEDICAID  
COVERAGE FOR THE TREATMENT OF SEVERE OBESITY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2022*) (a) For the purposes of this  
2 section:

3 (1) "Body mass index" means the number calculated by dividing an  
4 individual's weight in kilograms by the individual's height in meters  
5 squared; and

6 (2) "Severe obesity" means a body mass index that is:

7 (A) Greater than forty; or

8 (B) Thirty-five or more if an individual has been diagnosed with a  
9 comorbid disease or condition, including, but not limited to, a  
10 cardiopulmonary condition, diabetes, hypertension or sleep apnea.

11 (b) Each individual health insurance policy providing coverage of the  
12 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469  
13 of the general statutes delivered, issued for delivery, renewed, amended

14 or continued in this state on or after January 1, 2022, shall provide  
15 coverage for:

16 (1) Each surgical procedure that is:

17 (A) Performed to treat severe obesity, including, but not limited to,  
18 gastric bypass surgery, sleeve gastrectomy and duodenal switch  
19 surgery;

20 (B) Recognized by the National Institutes of Health, American Society  
21 for Metabolic and Bariatric Surgery and American College of Surgeons  
22 as providing long-term weight loss; and

23 (C) Consistent with treatment guidelines issued by the National  
24 Institutes of Health as applied to the insured; and

25 (2) Each outpatient prescription drug that is approved by the federal  
26 Food and Drug Administration to treat severe obesity if such policy  
27 includes coverage for outpatient prescription drugs.

28 (c) The benefits required by subsection (b) of this section shall be  
29 subject to the same terms and conditions that apply to all other benefits  
30 covered under a policy that is subject to this section.

31 Sec. 2. (NEW) (*Effective January 1, 2022*) (a) For the purposes of this  
32 section:

33 (1) "Body mass index" means the number calculated by dividing an  
34 individual's weight in kilograms by the individual's height in meters  
35 squared; and

36 (2) "Severe obesity" means a body mass index that is:

37 (A) Greater than forty; or

38 (B) Thirty-five or more if an individual has been diagnosed with a  
39 comorbid disease or condition, including, but not limited to, a  
40 cardiopulmonary condition, diabetes, hypertension or sleep apnea.

41 (b) Each group health insurance policy providing coverage of the  
42 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469  
43 of the general statutes delivered, issued for delivery, renewed, amended  
44 or continued in this state on or after January 1, 2022, shall provide  
45 coverage for:

46 (1) Each surgical procedure that is:

47 (A) Performed to treat severe obesity, including, but not limited to,  
48 gastric bypass surgery, sleeve gastrectomy and duodenal switch  
49 surgery;

50 (B) Recognized by the National Institutes of Health, American Society  
51 for Metabolic and Bariatric Surgery and American College of Surgeons  
52 as providing long-term weight loss; and

53 (C) Consistent with treatment guidelines issued by the National  
54 Institutes of Health as applied to the insured; and

55 (2) Each outpatient prescription drug that is approved by the federal  
56 Food and Drug Administration to treat severe obesity if such policy  
57 includes coverage for outpatient prescription drugs.

58 (c) The benefits required by subsection (b) of this section shall be  
59 subject to the same terms and conditions that apply to all other benefits  
60 covered under a policy that is subject to this section.

61 Sec. 3. (NEW) (*Effective July 1, 2021*) (a) For the purposes of this  
62 section:

63 (1) "Body mass index" means the number calculated by dividing a  
64 Medicaid beneficiary's weight in kilograms by the Medicaid  
65 beneficiary's height in meters squared; and

66 (2) "Severe obesity" means a body mass index that is:

67 (A) Greater than forty; or

68 (B) Thirty-five or more if a Medicaid beneficiary has been diagnosed

69 with a comorbid disease or condition, including, but not limited to, a  
70 cardiopulmonary condition, diabetes, hypertension or sleep apnea.

71 (b) The Commissioner of Social Services shall provide Medicaid  
72 reimbursement for:

73 (1) Each surgical procedure that is:

74 (A) Performed to treat severe obesity, including, but not limited to,  
75 gastric bypass surgery, sleeve gastrectomy and duodenal switch  
76 surgery;

77 (B) Recognized by the National Institutes of Health, American Society  
78 for Metabolic and Bariatric Surgery and American College of Surgeons  
79 as providing long-term weight loss; and

80 (C) Consistent with treatment guidelines issued by the National  
81 Institutes of Health as applied to the Medicaid beneficiary; and

82 (2) Each outpatient prescription drug that is approved by the federal  
83 Food and Drug Administration to treat severe obesity.

84 (c) The commissioner shall seek federal approval of a Medicaid state  
85 plan amendment or Medicaid waiver, if necessary, to implement the  
86 provisions of this section. Any submission of a Medicaid state plan  
87 amendment or Medicaid waiver shall be in accordance with the  
88 provisions of section 17b-8 of the general statutes.

89 (d) The commissioner shall adopt regulations, in accordance with  
90 chapter 54 of the general statutes, to implement the provisions of this  
91 section. The commissioner may adopt policies or procedures to  
92 implement the provisions of this section while in the process of adopting  
93 regulations, provided such policies or procedures are posted on the  
94 Internet web site of the Department of Social Services and on the  
95 eRegulations System prior to the adoption of such policies or  
96 procedures.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2022</i>	New section
Sec. 2	<i>January 1, 2022</i>	New section
Sec. 3	<i>July 1, 2021</i>	New section

***Statement of Purpose:***

To require health insurance and Medicaid coverage for certain surgical procedures performed, and certain outpatient prescription drugs prescribed, to treat severe obesity.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*