

HOUSE No. 1243

The Commonwealth of Massachusetts

PRESENTED BY:

Jon Santiago

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure access to the full range of treatment options for people with obesity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>1/17/2023</i>

HOUSE No. 1243

By Representative Santiago of Boston, a petition (accompanied by bill, House, No. 1243) of Jon Santiago for legislation to provide assistance for access to treatment options for people with obesity. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to ensure access to the full range of treatment options for people with obesity.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 "SECTION 1. Chapter 118E of the General Laws, as appearing in the 2020 Official
2 Edition, is hereby amended by inserting after section 10N, the following section:-

3 Section 10O. Notwithstanding any general or special rule to the contrary, the division
4 shall require comprehensive coverage for treatment of obesity. The term “comprehensive
5 coverage for treatment of obesity” includes coverage for prevention and wellness, nutrition
6 counseling, intensive behavioral therapy, bariatric surgery, and FDA-approved anti-obesity
7 medication. The term ‘FDA-approved anti-obesity medication’ refers to any medication
8 approved by the US Food and Drug Administration with an indication for chronic weight
9 management in patients with obesity.

10 a) Coverage criteria for FDA-approved anti-obesity medications provided under this
11 section shall not be more restrictive than the FDA-approved indications for those treatments.

12 b) Coverage under this section shall be neither different nor separate from coverage
13 for any other illness, condition, or disorder for purposes of determining deductibles, lifetime
14 dollar limits, copayment and coinsurance factors, and benefit year maximum for deductibles and
15 copayment and coinsurance factors.

16 c) Nothing shall preclude the undertaking of utilization management to determine
17 the medical necessity for treatment of obesity under this section, provided that all such
18 appropriateness and medical necessity determinations are made in the same manner as those
19 determinations are made for the treatment of any other illness, condition, or disorder covered by
20 such policy, contract, or plan.

21 d) The division shall provide notice to its members regarding the coverage required
22 by this section. The notice shall be in writing and prominently positioned in any literature or
23 correspondence sent to members and shall be transmitted to members within calendar year when
24 annual information is made available to members, or in any other mailing or communication to
25 members."