

SENATE BILL NO. 150

BY SENATORS BARROW, BOUDREAUX, BOUIE, CATHEY, CONNICK, CORTEZ, FIELDS, FOIL, HARRIS, HEWITT, JACKSON, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PETERSON, PRICE AND SMITH AND REPRESENTATIVES ADAMS, BAGLEY, BRYANT, CARPENTER, GARY CARTER, ROBBY CARTER, CORMIER, COX, DUPLESSIS, EDMONDS, FREIBERG, GLOVER, GREEN, HARRIS, JAMES, JEFFERSON, JENKINS, MIKE JOHNSON, LARVADAIN, LYONS, MCMAHEN, MIGUEZ, MOORE, NEWELL, CHARLES OWEN, PIERRE, SELDERS, STAGNI AND THOMPSON

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

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AN ACT

To enact R.S. 42:860, relative to the Office of Group Benefits; to require the Office of Group Benefits to provide coverage for the treatment of severe obesity; to provide definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:860 is hereby enacted to read as follows:

**§860. Severe obesity; legislative findings; coverage required**

**A. The legislature hereby finds and declares that obesity is a significant health problem affecting hundreds of thousands of Louisiana residents. Severe 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. Louisiana residents with obesity are ninety percent more likely to have diabetes and fifty percent more likely to have high blood pressure than those who are not obese. Therapeutic interventions can alter the course and severity of obesity and severe obesity has been successfully treated through established surgical treatments.**

**B. As used in this Section, the following terms shall have the following meanings:**

1           (1) "Severe obesity" means either of the following:

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

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

7           (2) "Body mass index" means a practical marker used to assess the  
8           degree of obesity, calculated by dividing the weight in kilograms by the height  
9           in meters squared.

10           C. The Office of Group Benefits programs shall offer a provision stating  
11           that benefits shall be payable for the treatment of severe obesity through gastric  
12           bypass surgery, sleeve gastrectomy, duodenal switch, single anastomosis  
13           duodeno-ileostomy with sleeve, or other methods recognized by the American  
14           Society for Metabolic and Bariatric Surgery as effective for the long-term  
15           reversal of severe obesity if all of the following criteria are met:

16           (1) The surgery or other treatment method is for an active state  
17           employee or retired state employee.

18           (2) The employee has participated in an Office of Group Benefits self-  
19           funded health plan for at least one year prior to the surgery or other treatment  
20           method and pre-authorization.

21           (3)(a) The employee complies with all requirements of the Office of  
22           Group Benefits during the pre-operative period.

23           (b) The pre-operative period shall be no less than four months.

24           (4) The employee has a body mass index greater than or equal to forty  
25           kilograms per meter squared, or greater than or equal to thirty-five kilograms  
26           per meter squared with two or more comorbidities.

27           D. The benefits provided for in this Section shall be limited to a  
28           maximum of three hundred surgeries per year.

29           E. Nothing in this Section shall be construed to provide coverage or  
30           other benefits for skin removal surgery.

1                    **F. The Office of Group Benefits programs shall offer reimbursement to**  
2                    **hospitals, physicians, and clinics which is reasonable and customary.**

3                    **G. The Office of Group Benefits benefit will be restricted to services**  
4                    **provided in facilities holding accreditation by the American College of Surgeons**  
5                    **and the American Society for Metabolic and Bariatric Surgery's Metabolic and**  
6                    **Bariatric Surgery Accreditation and Quality Improvement Program**  
7                    **(MBSAQIP).**

8                    **H. Coverage of bariatric surgery shall require prior authorization.**

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_