

Insurance and Real Estate Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1007

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

Vote Date: 3/22/2021

Vote Action: Joint Favorable

PH Date: 3/18/2021

File No.:

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SPONSORS OF BILL:

Sen. Eric C. Berthel, 32nd Dist.

Rep. Bobby G. Gibson, 15th Dist.

Sen. Saud Anwar, 3rd Dist.

Rep. Tom Delnicki, 14th Dist.

REASONS FOR BILL:

The bill seeks to address the concerns of coverage when it comes to bariatric, metabolic surgery or medications related to the treatment of severe obesity in Connecticut. Currently most insurance companies do not provide coverage for the expenses of bariatric, metabolic and medications to treat severe obesity. The bill will mandate certain coverage to treat severe obesity in Connecticut.

RESPONSE FROM ADMINISTRATION/AGENCY:

Connecticut Department of Social Services supports the overall approach of the bill but suggests that section 3 of the bill be removed and replaced with substitute language indicated in their testimony: "Sec. 3. (NEW) (Effective October 1, 2021) The Department of Social Services shall provide Medicaid reimbursement for covered surgical services (including related hospital services) and covered outpatient prescription drugs to treat severe obesity that are medically necessary for a Medicaid member in accordance with section 17b-259b of the 2 general statutes, notwithstanding any provision to the contrary in any Department of Social Services regulation or policy adopted prior to the effective date of this act." DSS will support the bill with the substitute language provided.

NATURE AND SOURCES OF SUPPORT:

Jonathan Aranow, MD, FACS, CT-ASMBS, CT-ACSPA, CSMS supports the bill while highlighting the history of bariatric surgery coverage in Connecticut. He discussed the limited

insurance coverage for treatment of obesity, the cost- efficacy of treatment in the long run and the implications of limiting access to care for obesity.

Kathryn Balkunas, Registered Dietician supports the bill as she has seen too many individuals struggle with the disease of obesity and diets are not a solution. Weight loss surgery is a tool that can help individuals who have struggled with the disease.

Aziz Benbrahim, President, Medical Staff, Mid-State Medical Center supports the bill as obesity is a disease that needs treatment. Severe obesity requires bariatric surgery which is not covered. Most patients after surgery and treatment improve their health conditions resulted from obesity.

Eric C. Berthel, State Senator, Connecticut General Assembly supports the bill as a recipient of bariatric and metabolic surgery. He stated obesity is a health crisis in the nation and state and that surgery proves to be the way to improve the conditions relating to obesity in individuals. Most insurance companies do not provide coverage for bariatric and metabolic surgery only CT residents covered by Husky. The bill did not make it out of the appropriations committee possibly due to the fiscal note. He assured that there is data that shows long term outcomes improve the livelihood of individuals. Thus, urged the passage of the bill to improve the quality of life for individuals affected by the disease.

Allison Nora Buikus, Kensington, CT supports the bill as bariatric surgery saved her life and wants it to save many more lives. She stated that obesity is not a choice but rather a disease that leads to many health conditions. Lifestyle changes like diet and exercise are not the solution as social and economic issues affect obesity. She wants this solution to be available to everyone who needs it.

Thomas D. Buikus II, Kensington, CT supports the bill as it saved his wife's life. He mentioned over the course of his 15-year marriage his wife tried diets, personal trainers, to which showed no long-term results. His wife had a variety of health-related issues and was on 15 separate medications and saw about 4 specialists a month which was a high cost to them. After years of no results his wife was able to meet with a clinician at Hartford HealthCare's bariatric program and she received the care she needed while having coverage by the insurance. Bariatric surgery was the only way to help his wife's health and it is not a surgery that takes the "easy way out"; it was a medical necessity.

Dana Cantiello, Nurse Practitioner, Middlesex Health supports the bill due to working with many patients affected by obesity. She stated obesity is an epidemic as CT does not have any prevention programs and many insurance companies choose to not cover nor approve lifesaving procedures and medications related to obesity. As a nurse practitioner on the frontlines she believes this is a prejudice practice due to a person's weight and appearance. The financial burden placed on individuals due to the lack of coverage is an issue that should not be because it is a life-saving care.

Vincent Capece, CEO, Middlesex Health strongly supports the bill and having access to bariatric surgery. He included the benefits of this surgery go beyond weight but also help type two diabetes, cardiovascular health, mental health and many more health-related issues. He believed the costs associated are offset by the reduced health care costs resulting in improved health statues associated with surgery.

Kelly Carvalho, South Windsor, CT supports the bill as she received bariatric surgery which has helped her quality of life.

Beverlee A. Cholewa, Griswold, CT supports the bill as she received bariatric surgery which has helped her quality of life and wants others to receive the care needed to save their life and limit health care costs.

Dianne M. Cole, Farmington, CT supports the bill as she received bariatric surgery and had improved health as a result. As someone who was hypertensive and diabetic and has been able to continue daily life without medication however, her sister was not able to have the procedures covered and cannot afford to do it. She is now healthy and wants her sister and others to be able to live healthy as well.

Kathleen Flaherty, Esq., Connecticut Legal Rights Project, Inc. supports the bill and states that weight gain is a common side effect of psychiatric drugs. From personal experience she knows that it can affect metabolism even after discontinued use. Given the disproportionate impact on black, brown, indigenous and Asian communities the bill will be able to address existing health disparities.

Deborah Cunningham, CT Resident supports the bill as obesity is a disease, she fought her entire life. Having surgery reduced her reliance of medication and she now leads a healthier life.

Kevin M. Davidson, East Hartford, CT supports the bill due to his experience with obesity and the health-related issues such as body pain which prevented daily mobility. He was able to receive surgery and is now able to do things like walk, jog and run. He wants others to have the same care covered by insurance.

Amy Dumont, LCSW, Middlebury, CT supports the bill as she works with patients who need mental health assessments for bariatric surgery or post-op. She had bariatric surgery and it was fully covered by her insurance, she wants there to be access to those who need it without it having a significant cost to the individual. She mentioned that bariatric surgery will save money in the long run as well as saving the health of individuals.

Catherine Dunay, Redding, CT supports the bill as she has worked with bariatric patients and providers for over 10 years and she believes it is the duty of the insurance to provide coverage. She has witnessed the health changes of those who underwent surgery and believes everyone should have access to treatment for obesity.

Sandra Dupuis, Vernon, CT supports the bill and has personal experience with bariatric surgery. She had great success post-surgery and wants others to experience that.

Robert Fellows, Practice Manager, Medical & Surgical Weight Loss supports the bill as the bariatric surgery is a life changing procedure. Those who have high blood pressure, difficulty with mobility, and many other health related issues have a successful turnaround post- operation.

Christine Finck, MD, FACS, Surgeon-in-Chief, CT Children's supports the bill as obesity is an epidemic and chronic disease. Every day she sees how it impacts children and

adolescents and how it impacts their daily lives. She mentioned there is literature that supports that surgery is the best way to address obesity. Bariatric and metabolic surgery is not currently considered an essential health benefit in CT, but it is in surrounding states such as: NY, MA, RI, VA, ME and NH.

Craig L. Floch, MD, Newtown, CT supports the bill and urged passage of the bill in these times as the pandemic has lost the lives of many bariatric patients. The obesity epidemic affects sleep apnea, diabetes, high blood pressure and many things that make an individual high risk to the pandemic. He states that surrounding states have coverage and access to the care needed to help individuals.

Christopher Gallagher, Federal & State Affairs Consultant, Obesity Action Coalition supports the bill as the prevalence of obesity has skyrocketed across the country with 30% of CT residents affected. The American Medical Association in 2013 declared obesity a complex and chronic disease supporting patients access to obesity care. The pandemic has further impacted individuals with more complicated risks.

Alice Giandurco, CT Resident, supports the bill.

Elizabeth Gioia, Torrington, CT supports the bill as she has health related issues caused by weight and is worried about the cost of bariatric surgery.

Bonnie Hall, Westbrook, CT supports the bill and explains her difficulty with getting approval from her insurance. She was an ideal candidate for gastric bypass which would eliminate her diabetes, hypertension and reflux problems but was denied twice and took her case to the CT insurance commission. She is a small business owner and could not afford out of pocket costs. After her approval from a third party from the CT insurance commission she was able to get surgery and is free of all health issues.

Linda Halpin, CT Resident supports the bill as she had surgery and it improved her health. She lost people from obesity complications of COVID-19 and wants this bill passes.

Farrah Hizon, West Hartford, CT supports the bill and that it causes financial hardship when companies do not have coverage.

Ania M. Jastreboff, MD, Ph.D., Yale University School of Medicine supports the bill and shares the testimony of a patient who was able to treat their obesity through different medications. Obesity is not a lifestyle choice but rather a disease that needs to be treated. However, in order to receive this help, it needs to become affordable and covered by insurance. This bill can help patients' health and weight goals which makes America a healthier place for all.

Madhuvanti Joshi, Bariatric Physician Assistant supports the bill as a provider of bariatric surgery and medical weight loss management. Can attest that procedures change the course of people's lives and has dramatic health results.

Kathryn Kruser, North Branford, CT supports the bill as she went under bariatric weight loss surgery which was not covered under her insurance. It was a procedure that was needed

and had to cash in some of her IRA. She struggles with obesity all her life and after surgery was able to relieve long term health conditions.

Tara Laroux, Bolton, CT supports the bill for she had insurance complications and almost did not have her planned bariatric surgery. Due to the complications of obesity she had to leave her job and had diabetes, uterine cancer resulting in a hysterectomy, debilitating hernia and neuropathy in her feet. Along with that had to take daily medications for her conditions. After surgery she no longer takes the medication and her complications have lessened over time.

Stephanie Levin, Ellington, CT supports the bill as she was able to have her surgery covered by insurance and acknowledges most do not have this option. The quality of life after the surgery is priceless.

Seth Lindenmen, Chester, CT supports the bill as he has been on a weight loss journey for a while and is concerned for his health due to conditions that run in his family. As he was preparing for this journey his insurance denied weight loss medications and surgery. As a small business owner, he and his family are paying out of pocket for his medication and he is desperate to get surgery for his health.

Teresa Luong, PA-C, Stamford, CT supports the bill as she believes it is a right for insurance companies pay for medication and surgery to save lives. As a physician assistant she states obesity is one of the number one risk factors for dying from Covid.

Viesia Lusniak, Norwalk, CT supports the bill as bariatric surgery is a life-saving treatment for persons with obesity.

John Mann, CT supports the bill as he had bariatric surgery and his other health related issues went away as a result. He is much healthier, energetic and happier.

Michelle Martins, RN, BSN, Hartford HealthCare supports the bill as it is a life-saving treatment for persons with obesity

Beverly Matthews, Windsor Locks, CT supports the bill as 20 years ago she investigated bariatric surgery, but her insurance did not cover the costs. She struggled with losing and maintaining healthy weight. Right now, her Medicare covers for the surgery and she hopes to be able to improve her quality of life and overall health.

Katrina McDonald, Meriden, CT supports the bill as she is a recent kidney donor and feels proud of helping someone else and wants insurance companies to help others save their lives by covering costs to assist those living with obesity. She was recently approved to have surgery and is excited that she will get to save her own life.

Kathleen McKiernan Peckham, CT supports the bill as she needs bariatric surgery, but her insurance denied the procedure. She is losing hope of being able to live a healthy life and is frustrated that she cannot continue with the procedure.

Katherine Medina, Tolland, CT supports the bill because she believes bariatric surgery is an essential life-saving treatment for persons with obesity. She speaks from personal experience

as she had bariatric surgery and has had transforming results in her health. Weight has been an issue in her family, and she has Multiple Sclerosis which caused many health complications. Her insurance was able to cover her costs and without the coverage her health would have worsened. She hopes that others can get this procedure covered by their insurance and save their lives.

Bethany Mulone, RN, Guilford, CT supports the bill as she has seen the profound impact weight loss surgery has had physically and mentally on patients. Obesity is an epidemic that is linked to diabetes, hypertension, depression and many more. She stated that denial from insurance is the primary cause for patients' not receiving care. Bariatric surgery and metabolic surgery will lower health care costs for patients in the long run.

Stephanie Ortiz Page, DO, Metabolic Medical Weight Loss Center supports the bill as obesity is a complex and chronic disease that requires multifaceted treatment approach. In Connecticut obesity rates are rising and bariatric surgery is a life-saving treatment. Increasing access and coverage will improve the quality of life and health care cost burden.

Pavlos Papasavas MD, President, CT Chapter of ASMBS supports the bill as he has dedicated his career to the treatment of obesity that affects 27% of Connecticut's population. Obesity disproportionately affects minorities and costs the state \$20 billion a year. Like obesity Covid-19 disproportionately affected minorities, low-income and those suffering from obesity. While there is no cure bariatric surgery is the most effective treatment and has long term health benefits. CT is the only states in New England with Affordable Care Act plans that do not cover bariatric surgery. He urged that the general assembly rectify this injustice.

Donna Pepe, Sherman, CT supports the bill as she went under a gastric sleeve and had to pay out of pocket due to insurance exclusion. Since she was not able to reach the goal weight and had complications her doctor recommended Gastric Bypass which would help other conditions along with the elimination of spinal surgery. Despite all the health conditions she suffered and the health benefits of the surgery her insurance denied her. She has been persistent to get a case which was denied, she is now in the appeal process and urges for the passage of the bill.

Franchesca Rivera, CT supports the bill as she was able to see a nutritionist which helped her eat better and then took the necessary steps for bariatric surgery. She needed the procedure to be able to help gain a health life and limit the risk of health complications in the long run. After her surgery she has had great health results and her insurance covered the procedure. She wants this for her friends, family and those who need it as well.

Robin Roark, CT supports the bill as she has had bariatric surgery and within six months all her comorbidities have declined or disappeared altogether. She is now living a healthier life and speaks about the stigma around obesity and the ways in which she was treated negatively because of her weight.

Paula Rucker, East Hartford, CT supports the bill as she has tried everything possible regarding her health and nothing helped her diabetes or weight. She mentioned she does not feel good physically and mentally and yet doctors and insurance companies have been no help. She does not want to be limited on her health because of the decisions on insurance companies or doctors.

Julie Sjoblom, MAA/ Bariatric Patient Navigator supports the bill personally and professionally. She has had bariatric surgery and says it truly saves lives. Medications only "manage" and "mask" problems whereas surgery is often the necessary step. She has worked at her job for five years because she wanted to be a part of this type of work. She is always saddened when insurances deny potential patients and she wants to see a change.

Jane Sweeney, MSN, RN, Hartford HealthCare supports the bill as she has witnessed firsthand the effects of the disease of obesity in her patients. Many of her patients were often from lower socioeconomic class and or considered a minority. While the treatment exists and is life changing it is not available to all CT residents. Obesity is one of the leading costs of death yet it can be prevented.

Darren S. Tishler, MD, FACS, FASMBS supports the bill as he has witnessed many patients die from Covid-19 who are obese. According to the CDC almost 80% of patients hospitalized with Covid-19 are overweight or obese. He has seen way too often insurance companies deny coverage to his patients and states CT is the only state in the North East that does not provide coverage.

Emma Lauren Tishler, Glastonbury, CT supports the bill because of the negative consequences of obesity. Obesity disproportionately affects low-income and communities of color which can cause health conditions such as cancer, diabetes, high blood pressure and more.

Devika Umashanker, MD, MS, MBA, Glastonbury, CT supports the bill as racial and ethnic disparities are pronounced in both the prevalence and treatment of obesity. Treatment of obesity can be provided through bariatric and or anti-obesity medication. However, the costs are not affordable is not covered by insurance. Devika asks that access be considered and expanded for CT residents.

Amber Rose Walder, Hartford, CT supports the bill because without the surgery and coverage she would have had a death sentence due to health complications as a result of obesity. She urged for the passage of the bill.

Sarah A. Williams, Uncasville, CT supports the bill as she had a life-saving bariatric surgery. She had many health complications and since the surgery many of them have gotten better. She urges for insurance companies to cover the procedure and after surgery plastic surgery.

Donna Witkins, APRN, Prime Health Care supports the bill as there is a significant number of serious complications due to obesity as well a psychological conflict. She hopes the legislature makes the best decision possible for its constituents.

Ricardo Young, Glastonbury, CT supports the bill as it can mitigate the effects of diabetes on patients and decrease morbidity and mortality. Effective treatment and management are the most successful way of saving lives and reducing healthcare costs.

NATURE AND SOURCES OF OPPOSITION:

Wyatt Bosworth, Assistant Counsel, Connecticut Business & Industry Association

opposed the bill because mandates drive up the costs of health insurance premiums due to insurers expanding coverage for the additional services. He mentioned that CT residents pay an addition \$2,085.28 in premiums because of the 68 health mandates in the CT statutes. Employers urge the committee to recontinue the Health Benefit Review Program to conduct a cost-benefit analysis of any mandates at the request of the committee. The CBIA opposes the bill or any mandate without a complete cost-benefit analysis. He looks forward to working with the committee to lower health care costs while maintaining quality of care.

Connecticut Association of Health Plans opposed the bill due to Affordable Care Act offered on the Exchange that state mandates enacted after December 31, 2011 cannot be considered part of the EHB unless already part of the benchmark. States the burden of the cost will fall on fully insured plans which are small employers. The CT exchange is in the process of preparing standard benefit designs and if new mandates are adopted after the standard benefit is finalized then it will need to be reopens which is not a conducive, efficient or stable process.

Reported by: Christina Cruz

Date: 03/29/2021