



Senate

General Assembly

File No. 672

January Session, 2023

Substitute Senate Bill No. 977

Senate, May 2, 2023

The Committee on Appropriations reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MEDICAL ASSISTANCE FOR SURGERY AND MEDICAL SERVICES RELATED TO TREATMENT OF OBESITY.

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

- 1 Section 1. (NEW) (*Effective July 1, 2023*) (a) (1) As used in this section,
2 "bariatric surgery" means surgical changes to the digestive system to
3 help a patient with obesity to lose weight;
- 4 (2) "Body mass index" means the number calculated by dividing an
5 individual's weight in kilograms by the individual's height in meters
6 squared;
- 7 (3) "Medical services" means (A) prescription drugs approved by the
8 Food and Drug Administration for the treatment of obesity on an
9 outpatient basis, and (B) nutritional counseling provided by a registered
10 dietitian-nutritionist certified pursuant to section 20-206n of the general
11 statutes;
- 12 (4) "Severe obesity" means a body mass index that is:

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Social Services, Dept.	GF - Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a cost to the Department of Social Services (DSS) associated with expanding Medicaid and HUSKY B coverage for certain obesity-related services. The extent of the cost is unknown at this time.

Currently, surgical services are covered if necessary to treat morbid obesity that causes or aggravates another medical illness. For context, morbid obesity involves a body mass index (BMI) of 40 or higher. The bill requires (1) medical services for members with a BMI of over 35, and (2) bariatric surgery and related medical services for beneficiaries with severe obesity (BMI of at least 35 with a comorbid disease or condition, or a BMI of over 40). Based on historical claims, there are approximately 120,000 adults and children who are reported as obese. The bill will increase the number of individuals eligible for both surgical and medical services, which will increase state costs.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the utilization and cost of expanded services under the bill.

OLR Bill Analysis**sSB 977*****AN ACT CONCERNING MEDICAL ASSISTANCE FOR SURGERY AND MEDICAL SERVICES RELATED TO TREATMENT OF OBESITY.*****SUMMARY**

This bill requires the Department of Social Services (DSS) commissioner to cover bariatric surgery and specified medical services for Medicaid and HUSKY B beneficiaries with obesity under certain circumstances. Under the bill, these medical services include (1) FDA-approved prescription drugs for outpatient treatment of obesity and (2) nutritional counseling from a registered dietitian-nutritionist. Bariatric surgery is a procedure that makes changes to the digestive system to help a patient with obesity lose weight.

Specifically, as long as beneficiaries otherwise meet conditions set by the federal Centers for Medicare and Medicaid Services, the bill requires DSS to cover the following:

1. medical services for beneficiaries with a body mass index (BMI) over 35, and
2. bariatric surgery and related medical services for beneficiaries with severe obesity.

Under the bill, a person has severe obesity if he or she has a BMI of (1) at least 35 with a comorbid disease or condition (e.g., a cardiopulmonary condition, diabetes, hypertension, or sleep apnea) or (2) over 40. A person has obesity if he or she has a BMI of 30 or higher. BMI is calculated by dividing a person's weight in kilograms by height in meters squared.

The bill allows the DSS commissioner to amend the state plans for

Medicaid and the Children’s Health Insurance Program (i.e., HUSKY B) if needed to implement the bill’s provisions.

Under current regulations, DSS covers surgical services needed to treat morbid obesity that causes or aggravates another medical illness (Conn. Agencies Regs., § 17b-262-341(9)).

EFFECTIVE DATE: July 1, 2023

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute Change of Reference - APP
Yea 20 Nay 2 (03/02/2023)

Appropriations Committee

Joint Favorable
Yea 44 Nay 5 (04/21/2023)