

House Bill 187 (AS PASSED HOUSE AND SENATE)

By: Representatives Dempsey of the 13th, Cooper of the 43rd, Newton of the 123rd, Jones of the 53rd, and Hatchett of the 150th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the
2 Department of Community Health, so as to provide for a pilot program to provide coverage
3 for the treatment and management of obesity and related conditions, including medications
4 and counseling; to provide a definition; to provide for eligibility; to provide for requirements;
5 to provide for a review of results and outcomes; to provide for an evaluation report on such
6 program; to provide for termination of the pilot program; to provide for automatic repeal; to
7 provide for related matters; to provide for contingent effectiveness; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department
12 of Community Health, is amended by adding a new Code section to read as follows:

13 "31-2-12.1.

14 (a) As used in this Code section, the term 'state health insurance plan' means:

15 (1) The state employees' health insurance plan established pursuant to Article 1 of
16 Chapter 18 of Title 45;

17 (2) The health insurance plan for public school teachers established pursuant to Subpart
18 2 of Part 6 of Article 17 of Chapter 2 of Title 20; and

19 (3) The health insurance plan for public school employees established pursuant to
20 Subpart 3 of Part 6 of Article 17 of Chapter 2 of Title 20.

21 (b) Beginning six months after the effective date of this Code section, the department shall
22 conduct a three-year pilot program to provide coverage for the treatment and management
23 of obesity and related conditions under a state health insurance plan. The department shall
24 be authorized to enter into an agreement with a postsecondary institution in this state for
25 pilot program management, data collection, patient engagement, and other activities related
26 to the pilot program. The pilot program shall provide coverage of all federal Food and

27 Drug Administration approved medications for chronic weight management for eligible
28 participants in conjunction with obesity prevention, screening, and counseling benefits.
29 (c) Participation in the pilot program shall include a minimum of 250 individuals per year,
30 to be selected in a manner determined by the department.
31 (d) Any person who has elected coverage under a state health insurance plan shall be
32 eligible to be selected to participate in the pilot program in accordance with criteria
33 established by the department which shall include, but not be limited to:
34 (1) Completion of a health risk assessment through a state health insurance plan;
35 (2) A body mass index:
36 (A) Greater than or equal to 27 with comorbidities related to obesity; or
37 (B) Greater than or equal to 30 without such comorbidities.
38 (3) Consent to provide personal and medical information to a state health insurance plan;
39 and
40 (4) An agreement to enroll in a department approved wellness program during the plan
41 year.
42 (e) Eligible individuals must apply to participate in the pilot program. The individual and
43 his or her physician shall complete and submit an obesity treatment program application
44 to the department no later than February 1 for each year of the pilot program. The
45 department's contracted health insurance carrier shall review the applications and based on
46 the criteria contained in subsection (d) of this Code section shall determine qualified
47 applicants for the pilot program.
48 (f) All health care services provided pursuant to the pilot program shall be subject to the
49 health insurance carrier's plan of benefits and policy provisions. Participants shall be
50 responsible for all applicable copayments, coinsurance, deductibles, and out-of-pocket
51 expenses exceeding maximum limits.
52 (g) Participants must agree to comply with any and all terms and conditions of the pilot
53 program, including, but not limited to, participation and reporting requirements.
54 Participants must also agree to comply with any and all requests by the department for
55 medical and productivity information, and such agreement shall survive his or her
56 participation in a state health insurance plan.
57 (h) The department shall review the results and outcomes of the pilot program beginning
58 six months after program initiation and shall conduct subsequent reviews every six months
59 for the remainder of the pilot program. The department shall provide a final report by
60 December 15 of the last year of the pilot program to the chairpersons of the House
61 Committee on Health and Human Services, the Senate Health and Human Services
62 Committee, the House Committee on Appropriations, and the Senate Appropriations
63 Committee. The report shall include, at a minimum:

- 64 (1) Whether patients in the pilot program experienced a reduction in body mass index,
 65 and if so, the average amount of reduction;
- 66 (2) Whether patients in the pilot program experienced reduction or elimination of
 67 comorbidities, and if so, which comorbidities were reduced or eliminated;
- 68 (3) The total number of individuals who applied to participate in the pilot program;
- 69 (4) The total number of participants who enrolled in the pilot program;
- 70 (5) The average cost to the state health insurance plan on a per-member per-month basis;
- 71 (6) The total cost of each participant's annual health care costs prior to entering the pilot
 72 program; and
- 73 (7) Recommendations on how to reduce, manage, and treat obesity in the population
 74 under a state health insurance plan.
- 75 (i) In the event that sufficient funds become available as determined by the department to
 76 provide coverage for the treatment and management of obesity and related conditions,
 77 including coverage of all federal Food and Drug Administration approved medications for
 78 chronic weight management in conjunction with obesity prevention, screening, and
 79 counseling benefits, the department shall provide such coverage to any eligible individuals
 80 who have elected coverage under a state health insurance plan, and the pilot program shall
 81 be terminated by the department.
- 82 (j) This Code section shall stand repealed 42 months after the effective date of this Code
 83 section."

84 **SECTION 2.**

85 This Act shall become effective only upon the effective date of a specific appropriation of
 86 funds for purposes of this Act, as expressed in a line item making specific reference to such
 87 Act in a General Appropriations Act enacted by the General Assembly.

88 **SECTION 3.**

89 All laws and parts of laws in conflict with this Act are repealed.