

**MORBID OBESITY - INSURANCE COVERAGE**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steven R. Mascaró**

Senate Sponsor: \_\_\_\_\_

---

**LONG TITLE****General Description:**

This bill amends the Accident and Health Insurance part of the Insurance Code.

**Highlighted Provisions:**

This bill:

- defines morbid obesity; and
- requires the insurance commissioner to adopt rules requiring accident and health insurance coverage for treatment of morbid obesity.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**31A-22-635**, Utah Code Annotated 1953

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **31A-22-635** is enacted to read:

**31A-22-635. Coverage for treatment of morbid obesity.**

(1) As used in this section:

(a) "Body mass index" means a practical marker that is used to assess the degree of



28 obesity and is calculated by dividing the weight in kilograms by the height in meters squared.

29 (b) "Morbid obesity" means a body mass index that is:

30 (i) greater than 40 kilograms per meter squared; or

31 (ii) equal to or greater than 35 kilograms per meter squared with a comorbid medical  
32 condition, including:

33 (A) hypertension;

34 (B) a cardiopulmonary condition;

35 (C) sleep apnea; or

36 (D) diabetes.

37 (2) The commissioner shall establish, by rule, minimum standards of coverage for  
38 morbid obesity for accident and health insurance policies that provide a health insurance  
39 benefit before July 1, 2007.

40 (3) In making rules under Subsection (2), the commissioner shall require rules:

41 (a) with durational limits, amount limits, deductibles, and coinsurance for the treatment  
42 of morbid obesity equitable or identical to coverage provided for the treatment of other  
43 illnesses or diseases; and

44 (b) that provide coverage for surgical treatment of morbid obesity that is:

45 (i) recognized by the National Institute of Health as effective for the long-term reversal  
46 of morbid obesity; and

47 (ii) consistent with guidelines approved by the National Institute of Health.

---

---

**Legislative Review Note**  
**as of 12-4-06 9:41 AM**

**Office of Legislative Research and General Counsel**

---

---

## H.B. 225 - Morbid Obesity - Insurance Coverage

### Fiscal Note

2007 General Session

State of Utah

---

---

#### State Impact

Enactment of this bill will require an appropriation of \$9.025 million in the first year and \$5.415 million in the second year from various funds as shown in the table. This is based on 20% of eligibles opting for these medical services in the first year, with a lesser amount in subsequent years.

	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
	<b><u>Approp.</u></b>	<b><u>Approp.</u></b>	<b><u>Approp.</u></b>	<b><u>Revenue</u></b>	<b><u>Revenue</u></b>	<b><u>Revenue</u></b>
General Fund	\$0	\$4,379,900	\$2,628,000	\$0	\$0	\$0
Uniform School Fund	\$0	\$313,800	\$188,300	\$0	\$0	\$0
Transportation Fund	\$0	\$622,800	\$373,700	\$0	\$0	\$0
Federal Funds	\$0	\$1,919,500	\$1,151,700	\$0	\$0	\$0
Dedicated Credits	\$0	\$499,600	\$299,700	\$0	\$0	\$0
Restricted Funds	\$0	\$585,900	\$351,500	\$0	\$0	\$0
Other	\$0	\$703,500	\$422,100	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$9,025,000</b>	<b>\$5,415,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

---

---

#### Individual, Business and/or Local Impact

Local governments and school districts will experience a 4.79% to 7.18% increase in medical claims costs. Individuals and businesses will have higher insurance premium costs. The morbidly obese that are covered by insurance will have increased benefits.