

**Senator D. Chris Buttars** proposes the following substitute bill:

**RESOLUTION SUPPORTING OBESITY**

**AWARENESS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: D. Chris Buttars**

House Sponsor: John Dougall

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**LONG TITLE**

**General Description:**

This concurrent resolution of the Legislature and the Governor designates Obesity Awareness Month in Utah and urges increased medical coverage for obesity procedures.

**Highlighted Provisions:**

This resolution:

▶ designates September 2009 as Obesity Awareness Month in the state and September 5, 2009, as "Walk from Obesity" Day; and

▶ urges that health care providers increase coverage of overweight and obesity procedures as a means of preventing increased future health care costs to the state and to businesses.

**Special Clauses:**

None

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*Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

WHEREAS, more than half of all American adults are overweight, representing approximately 69 million people;



26 WHEREAS, obese individuals have a 50% to 100% increased risk of premature death  
27 from all causes compared to individuals with a healthy weight;

28 WHEREAS, morbid obesity is associated with a myriad of serious conditions,  
29 including hypertension, type 2 diabetes mellitus, dyslipidemia, osteoarthritis, and gallbladder  
30 disease;

31 WHEREAS, obesity can lead to a 50% to 100% increase in risk of death to an  
32 individual from all causes;

33 WHEREAS, over 280,000 Americans die each year from obesity related diseases;

34 WHEREAS, obesity has been linked to increases in workers' compensation claims;

35 WHEREAS, studies show dramatically higher health care costs for overweight and  
36 obese patients and lower productivity in the workplace;

37 WHEREAS, addressing obesity challenges requires an understanding of the interaction  
38 of genetic, physiological, environmental, and behavioral factors and abandonment of the  
39 historic prejudice that being overweight or obese was simply the result of personal lifestyle  
40 decisions and therefore within the domain of individual responsibilities and not part of  
41 traditional medical care;

42 WHEREAS, although Medicare recognized obesity as a disease in 2004, few treatment  
43 options are currently reimbursable by most health plans;

44 WHEREAS, medical procedures have been developed to help improve the health of  
45 obese patients;

46 WHEREAS, the American Diabetes Association, in its Standards of Care, advises  
47 bariatric surgery be considered for adult patients with a Body Mass Index greater than 35  
48 kg/mz and type 2 diabetes mellitus;

49 WHEREAS, medical studies have demonstrated that Laparoscopic Adjustable Gastric  
50 Banding, Laproscopic Roux-En-Y Gastric Bypass, and other alternatives for the morbidly  
51 obese supported by the American Society for Metabolic and Bariatric Surgery result in  
52 significant weight loss;

53 WHEREAS, another alternative, Laproscopic Bariatric surgery, has been demonstrated  
54 to be an effective weight-loss alternative for the morbidly obese;

55 WHEREAS, a study of the economic impact of bariatric surgery shows, as a return of  
56 investment, that the costs of bariatric surgery are fully recovered in just over two years;

57 WHEREAS, some health plans, including Medicare, Medicaid, Select Health, by way  
58 of a rider, Deseret Mutual Benefits Association, Intermountain Health Care, Cigna, Public  
59 Employees Health Program, ValueCare's University of Utah's plan, Blue Cross of both Texas  
60 and Wyoming, Blue Cross Blue Shield of both Minnesota and Massachusetts, Fiserv Health,  
61 Blue Cross/ValueCare through Kennecott, EBMS, and Molina, provide overweight and obese  
62 health coverage; and

63 WHEREAS, covering overweight and obesity procedures will save health care and  
64 health insurance providers the costs of covering the many related health conditions suffered by  
65 the overweight and obese:

66 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
67 Governor concurring therein, designate the month of September 2009 as Obesity Awareness  
68 Month and September 5, 2009, as "Walk from Obesity" Day in the state of Utah and urge those  
69 affected by obesity, including health care professionals, educators, patients, businesses, and  
70 families, to participate in activities that heighten awareness of obesity.

71 BE IT FURTHER RESOLVED that the Legislature and the Governor urge health care  
72 and health insurance providers to include treatments for overweight and obesity, including  
73 surgical procedures, in their service plans as a means of preventing increased future health care  
74 costs to the state and to businesses.

75 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Utah  
76 Department of Health, the Utah Insurance Association, the Utah Health Care Association, the  
77 National Association of Health Underwriters, the National Association of State Comprehensive  
78 Insurance Plans, the Utah State Board of Education, the state's local school boards, and local  
79 chambers of commerce within the state.

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**S.C.R. 4 1st Sub. (Green) - Resolution Supporting Obesity Awareness**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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