Substitute Senate Bill No. 977

Public Act No. 23-94

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:

Section 1. (NEW) (*Effective July 1, 2023*) (a) (1) As used in this section, "bariatric surgery" means surgical changes to the digestive system to help a patient with obesity to lose weight;

(2) "Body mass index" means the number calculated by dividing an individual's weight in kilograms by the individual's height in meters squared;

(3) "Medical services" means (A) prescription drugs approved by the Food and Drug Administration for the treatment of obesity on an outpatient basis, and (B) nutritional counseling provided by a registered dietitian-nutritionist certified pursuant to section 20-206n of the general statutes;

(4) "Severe obesity" means a body mass index that is:

(A) Greater than forty; or

(B) Thirty-five or more if an individual has been diagnosed with a

comorbid disease or condition, including, but not limited to, a cardiopulmonary condition, diabetes, hypertension or sleep apnea; and

(5) "Obesity" means a body mass index of thirty or higher.

(b) The Commissioner of Social Services shall provide medical assistance for (1) bariatric surgery and related medical services for Medicaid and HUSKY B beneficiaries with severe obesity, and (2) medical services for Medicaid and HUSKY B beneficiaries with a body mass index greater than thirty-five, provided such beneficiaries otherwise meet conditions set by the Centers for Medicare and Medicaid Services for such surgery and medical services. If necessary, the commissioner may amend the Medicaid state plan and the state plan for the Children's Health Insurance Program to implement the provisions of this section.

Approved June 28, 2023