

CHAPTER 301

(Senate Bill 333)

AN ACT concerning

Health Insurance – Treatment of Morbid Obesity

FOR the purpose of altering the duties of the Task Force to Study Utilization Review of the Surgical Treatment of Morbid Obesity; altering the date a certain report of the Task Force is provided to certain committees of the General Assembly; requiring the Maryland Health Care Commission and the Maryland Insurance Administration to provide staffing for the Task Force; requiring the Maryland Insurance Administration to annually provide a certain report to certain committees of the General Assembly; repealing the termination date of a certain provision of law mandating coverage of the surgical treatment of morbid obesity; requiring the Maryland Insurance Commissioner to adopt certain regulations regarding the utilization review of primary bariatric surgery; and generally relating to the surgical treatment of morbid obesity.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–839

Annotated Code of Maryland

(2002 Replacement Volume and 2004 Supplement)

BY repealing and reenacting, with amendments,

Chapter 486 of the Acts of the General Assembly of 2004

Section 2, 3, and 4

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Insurance

15–839.

(a) (1) In this section the following words have the meanings indicated.

(2) “Body mass index” means a practical marker that is used to assess the degree of obesity and is calculated by dividing the weight in kilograms by the height in meters squared.

(3) “Morbid obesity” means a body mass index that is:

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

(ii) equal to or greater than 35 kilograms per meter squared with a comorbid medical condition, including hypertension, a cardiopulmonary condition, sleep apnea, or diabetes.