

~~USES TO REVIEW AND PREAUTHORIZE A TREATMENT PLAN THAT A HEALTH CARE PRACTITIONER DEVELOPS FOR A COVERED PERSON USING A VARIETY OF COST CONTAINMENT METHODS TO CONTROL UTILIZATION, QUALITY, AND CLAIMS.~~

(4) (3) "MORBID OBESITY" MEANS A BODY MASS INDEX THAT IS:

(I) GREATER THAN 40 KILOGRAMS PER METER SQUARED OR; OR

(II) EQUAL TO OR GREATER THAN 35 KILOGRAMS PER METER SQUARED WITH COMORBIDITY OR COEXISTING MEDICAL CONDITIONS A COMORBID MEDICAL CONDITION, INCLUDING HYPERTENSION, A CARDIOPULMONARY CONDITIONS CARDIOPULMONARY CONDITION, SLEEP APNEA, OR DIABETES.

(B) THIS SECTION APPLIES TO:

(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE;

(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

(3) MANAGED CARE ORGANIZATIONS, AS DEFINED IN § 15-101 OF THE HEALTH - GENERAL ARTICLE; AND

~~(4) CARRIERS THAT OFFER HEALTH BENEFIT PLANS UNDER TITLE 15, SUBTITLE 12 OF THE INSURANCE ARTICLE.~~

(C) ~~SUBJECT TO SUBSECTION (E) OF THIS SECTION, AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR THE EXPENSES INCURRED BY A PATIENT WITH MORBID OBESITY FOR ESTABLISHED SURGICAL TREATMENT IF TREATMENT OF MORBID OBESITY THROUGH GASTRIC BYPASS SURGERY OR ANOTHER SURGICAL METHOD THAT IS:~~

(1) RECOGNIZED BY THE NATIONAL INSTITUTES OF HEALTH AS EFFECTIVE FOR THE LONG-TERM REVERSAL OF MORBID OBESITY; AND

(2) CONSISTENT WITH CRITERIA APPROVED BY THE NATIONAL INSTITUTES OF HEALTH.

~~(4) ALL NONSURGICAL MEDICAL THERAPIES, AS DETERMINED BY THE PHYSICIAN, HAVE FAILED; AND~~

~~(2) THE BODY MASS INDEX OF THE PATIENT EXCEEDS:~~

~~(I) 40 KILOGRAMS PER METER SQUARED; OR~~

~~(II) 35 KILOGRAMS PER METER SQUARED IN THE PRESENCE OF HYPERTENSION, DIABETES, HIGH LDL CHOLESTEROL, LOW HDL CHOLESTEROL,~~