

House Bill 647

By: Representatives Dempsey of the 13th, Hatchett of the 150th, Newton of the 123rd, and Cooper of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the
2 Department of Community Health, so as to provide for a pilot program to provide coverage
3 for the treatment and management of obesity and related conditions, including medications
4 and counseling; to provide a definition; to provide for eligibility; to provide for requirements;
5 to provide for a review of results and outcomes; to provide for an evaluation report on such
6 program; to provide for automatic repeal; to provide for related matters; to provide for
7 contingent effectiveness; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department
11 of Community Health, is amended by adding a new Code section to read as follows:

12 "31-2-15.

13 (a) As used in this Code section, the term 'state health insurance plan' means:

14 (1) The state employees' health insurance plan established pursuant to Article 1 of
15 Chapter 18 of Title 45;

16 (2) The health insurance plan for public school teachers established pursuant to Subpart
17 2 of Part 6 of Article 17 of Chapter 2 of Title 20; and

18 (3) The health insurance plan for public school employees established pursuant to
19 Subpart 3 of Part 6 of Article 17 of Chapter 2 of Title 20.

20 (b) Beginning six months after the effective date of this Code section, the department shall
21 conduct a two-year pilot program to provide coverage for the treatment and management
22 of obesity and related conditions under a state health insurance plan. The pilot program
23 will provide coverage of all federal Food and Drug Administration approved medications
24 for chronic weight management for eligible participants in conjunction with obesity
25 prevention, screening, and counseling benefits.

- 26 (c) Participation in the pilot program shall be limited to no more than 2,000 individuals per
27 year, to be selected in a manner determined by the department.
- 28 (d) Any person who has elected coverage under a state health insurance plan shall be
29 eligible to be selected to participate in the pilot program in accordance with criteria
30 established by the department which shall include, but not be limited to:
- 31 (1) Completion of a health risk assessment through a state health insurance plan;
32 (2) A body mass index:
- 33 (A) Greater than or equal to 27 with comorbidities related to obesity; or
34 (B) Greater than or equal to 30 without such comorbidities.
- 35 (3) Consent to provide personal and medical information to a state health insurance plan;
36 and
- 37 (4) An agreement to enroll in a department approved wellness program.
- 38 (e) Eligible individuals must apply to participate in the pilot program. The individual and
39 his or her physician shall complete and submit an obesity treatment program application
40 to the department no later than February 1 for each year of the pilot program. The
41 department's contracted health insurance carrier shall review the applications and based on
42 the criteria contained in subsection (d) of this Code section, shall determine qualified
43 applicants for the pilot program.
- 44 (f) All health care services provided pursuant to the pilot program shall be subject to the
45 health insurance carrier's plan of benefits and policy provisions.
- 46 (g) Participants must agree to comply with any and all terms and conditions of the pilot
47 program including, but not limited to, participation and reporting requirements.
48 Participants must also agree to comply with any and all requests by the department for
49 medical and productivity information, and such agreement shall survive his or her
50 participation in a state health insurance plan.
- 51 (h) The department shall review the results and outcomes of the pilot program beginning
52 six months after program initiation, and shall conduct subsequent reviews every six months
53 for the remainder of the pilot program. The department shall provide a final report by
54 December 15 of the last year of the pilot program to the chairpersons of the House
55 Committee on Health and Human Services, the Senate Health and Human Services
56 Committee, the House Committee on Appropriations, and the Senate Appropriations
57 Committee. The report shall include, at a minimum:
- 58 (1) Whether patients in the pilot program experienced a reduction in body mass index,
59 and if so, the average amount of reduction;
- 60 (2) Whether patients in the pilot program experienced reduction or elimination of
61 comorbidities, and if so, which comorbidities were reduced or eliminated;
- 62 (3) The total number of individuals who applied to participate in the pilot program;

- 63 (4) The total number of participants who enrolled in the pilot program;
64 (5) The average cost to the state health insurance plan on a per-member per-month basis;
65 (6) The total cost of each participant's annual health care costs prior to entering the pilot
66 program; and
67 (6) Recommendations on how to reduce, manage, and treat obesity in the population
68 under a state health insurance plan.
69 (i) This Code section shall stand repealed 42 months after the effective date of this Code
70 section."

71 **SECTION 2.**

72 This Act shall become effective only upon the effective date of a specific appropriation of
73 funds for purposes of this Act, as expressed in a line item making specific reference to such
74 Act in a General Appropriations Act enacted by the General Assembly.

75 **SECTION 3.**

76 All laws and parts of laws in conflict with this Act are repealed.