

SENATE BILL No. 212

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-7.7; IC 27-8-14.1; IC 27-13-7-14.5.

Synopsis: Insurance coverage for treatment of morbid obesity. Requires an insurer that issues an accident and sickness insurance policy and a health maintenance organization that provides coverage for basic health care services under an individual or group contract to offer coverage for morbid obesity.

Effective: July 1, 2000.

Wheeler

January 10, 2000, read first time and referred to Committee on Insurance and Financial Institutions.

C
O
P
Y



Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

SENATE BILL No. 212



A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-10-8-7.7 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2000]: **Sec. 7.7. (a) As used in this section, "health care provider"**
- 4 **means a physician or medical institution that is specifically**
- 5 **qualified to treat in a comprehensive manner the entire complex of**
- 6 **illness and disease associated with morbid obesity.**
- 7 **(b) As used in this section, "morbid obesity" means:**
- 8 **(1) a weight of at least one hundred (100) pounds more than**
- 9 **or two (2) times the ideal weight for frame, age, height, and**
- 10 **gender, as specified in the 1983 Metropolitan Life Insurance**
- 11 **tables;**
- 12 **(2) a body mass index of at least thirty-five (35) kilograms per**
- 13 **meter squared, with comorbidity or coexisting medical**
- 14 **conditions such as hypertension, cardiopulmonary conditions,**
- 15 **sleep apnea, or diabetes; or**
- 16 **(3) a body mass index of at least forty (40) kilograms per**
- 17 **meter squared without comorbidity.**



C
O
P
Y

1 For purposes of this subsection, body mass index is equal to weight
2 in kilograms divided by height in meters squared.

3 (c) The state shall consider offering coverage for treatment of
4 morbid obesity by a health care provider under:

5 (1) a self-insurance program established under section 7(b) of
6 this chapter to provide group health coverage; and

7 (2) a contract entered into under section 7(c) of this chapter
8 to provide health services through a prepaid health care
9 delivery plan.

10 SECTION 2. IC 27-8-14.1 IS ADDED TO THE INDIANA CODE
11 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2000]:

13 Chapter 14.1. Coverage for Services Related to Morbid Obesity

14 Sec. 1. (a) As used in this chapter, "accident and sickness
15 insurance policy" means an insurance policy that:

16 (1) provides one (1) or more of the types of insurance
17 described in IC 27-1-5-1, classes 1(b) and 2(a); and

18 (2) is issued on an individual or a group basis.

19 (b) As used in this chapter, "accident and sickness insurance
20 policy" does not include:

21 (1) accident only;

22 (2) credit;

23 (3) dental;

24 (4) vision;

25 (5) Medicare supplement;

26 (6) long term care; or

27 (7) disability income;

28 insurance.

29 Sec. 2. As used in this chapter, "health care provider" means a
30 physician or medical institution that is specifically qualified to
31 treat in a comprehensive manner the entire complex of illness and
32 disease associated with morbid obesity.

33 Sec. 3. As used in this chapter, "morbid obesity" means:

34 (1) a weight of at least one hundred (100) pounds more than
35 or two (2) times the ideal weight for frame, age, height, and
36 gender, as specified in the 1983 Metropolitan Life Insurance
37 tables;

38 (2) a body mass index of at least thirty-five (35) kilograms per
39 meter squared, with comorbidity or coexisting medical
40 conditions such as hypertension, cardiopulmonary conditions,
41 sleep apnea, or diabetes; or

42 (3) a body mass index of at least forty (40) kilograms per

C
O
P
Y



1 meter squared without comorbidity.

2 For purposes of this section, body mass index is equal to weight in
3 kilograms divided by height in meters squared.

4 **Sec. 4. An insurer that issues an accident and sickness insurance
5 policy shall offer coverage for the treatment of morbid obesity by
6 a health care provider.**

7 SECTION 3. IC 27-13-7-14.5 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2000]: **Sec. 14.5. (a) As used in this section,
10 "health care provider" means a physician or medical institution
11 that is specifically qualified to treat in a comprehensive manner the
12 entire complex of illness and disease associated with morbid
13 obesity.**

14 **(b) As used in this section, "morbid obesity" means:**

15 **(1) a weight of at least one hundred (100) pounds more than
16 or two (2) times the ideal weight for frame, age, height, and
17 gender as specified in the 1983 Metropolitan Life Insurance
18 tables;**

19 **(2) a body mass index of at least thirty-five (35) kilograms per
20 meter squared with comorbidity or coexisting medical
21 conditions such as hypertension, cardiopulmonary conditions,
22 sleep apnea, or diabetes; or**

23 **(3) a body mass index of at least forty (40) kilograms per
24 meter squared without comorbidity.**

25 **For purposes of this subsection, body mass index equals weight in
26 kilograms divided by height in meters squared.**

27 **(c) A health maintenance organization that provides coverage
28 for basic health care services under an individual or group
29 contract shall offer coverage for the treatment of morbid obesity
30 by a health care provider.**

31 SECTION 4. [EFFECTIVE JULY 1, 2000] **(a) IC 5-10-8-7.7, as
32 added by this act, applies to a self-insurance program or a contract
33 to provide health services through a prepaid health care delivery
34 plan that is established, delivered, entered into, or renewed after
35 June 30, 2000.**

36 **(b) IC 27-8-14.1, as added by this act, applies to policies issued,
37 delivered, amended, or renewed after June 30, 2000.**

38 **(c) IC 27-13-7-14.5, as added by this act, applies to contracts
39 entered into, delivered, amended, or renewed after June 30, 2000.**

40 **(d) This SECTION expires July 1, 2002.**



C
O
P
Y