

Chapter 866

(Senate Bill 496)

AN ACT concerning

Maryland Medical Assistance Program – Coverage for the Treatment of Obesity – Authorization

FOR the purpose of authorizing, beginning on a certain date, the Maryland Medical Assistance Program to provide comprehensive coverage for the treatment of obesity; requiring the Maryland Department of Health to provide notice to Program recipients if the Department elects to provide the coverage; authorizing the Maryland Department of Health to apply to the Centers for Medicare and Medicaid Services for a State plan amendment authorizing the State to provide comprehensive coverage for the treatment of obesity; and generally relating to the Maryland Medical Assistance Program and coverage for the treatment of obesity.

BY repealing and reenacting, without amendments,
 Article – Health – General
 Section 15–103(a)(1)
 Annotated Code of Maryland
 (2023 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 15–103(a)(2)(xxvii) and (xxviii)
 Annotated Code of Maryland
 (2023 Replacement Volume and 2025 Supplement)

BY adding to
 Article – Health – General
 Section 15–103(a)(2)(xxix) and 15–160
 Annotated Code of Maryland
 (2023 Replacement Volume and 2025 Supplement)

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

Article – Health – General

15–103.

(a) (1) The Secretary shall administer the Maryland Medical Assistance Program.

(2) The Program:

(xxvii) Beginning on January 1, 2026, if providing coverage for the delivery of anesthesia, shall provide coverage for the delivery of anesthesia in accordance with § 15–862 of the Insurance Article; [and]

(xxviii) Beginning on January 1, 2026, shall provide calcium score testing in accordance with § 15–863 of the Insurance Article; AND

(XXIX) BEGINNING ON JANUARY 1, 2027, MAY PROVIDE COMPREHENSIVE COVERAGE FOR THE TREATMENT OF OBESITY UNDER § 15–160 OF THIS SUBTITLE.

15–160.

(A) IN THIS SECTION, “COMPREHENSIVE COVERAGE FOR THE TREATMENT OF OBESITY” INCLUDES COVERAGE FOR INTENSIVE BEHAVIORAL THERAPY, BARIATRIC SURGERY, AND ANY MEDICATION APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION WITH AN INDICATION FOR CHRONIC WEIGHT MANAGEMENT IN PATIENTS WITH OBESITY.

(B) THE PROGRAM MAY PROVIDE COMPREHENSIVE COVERAGE FOR THE TREATMENT OF OBESITY.

(C) THE PROGRAM MAY UNDERTAKE UTILIZATION MANAGEMENT TO DETERMINE THE MEDICAL NECESSITY AND APPROPRIATENESS FOR TREATMENT OF OBESITY UNDER THIS SECTION IF THE DETERMINATIONS ARE MADE IN THE SAME MANNER AS DETERMINATIONS ARE MADE FOR THE TREATMENT OF ANY OTHER ILLNESS, CONDITION, OR DISORDER COVERED BY THE PROGRAM.

(D) IF THE DEPARTMENT ELECTS TO PROVIDE COMPREHENSIVE COVERAGE FOR THE TREATMENT OF OBESITY UNDER THIS SECTION, THE DEPARTMENT SHALL PROVIDE NOTICE TO PROGRAM RECIPIENTS.

SECTION 2. AND BE IT FURTHER ENACTED, That *the Maryland Department of Health may apply to the Centers for Medicare and Medicaid Services for a State plan amendment that authorizes the State to provide comprehensive coverage for the treatment of obesity.*

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before November 1, 2027, the Maryland Department of Health shall report to the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health Committee, and the House Appropriations Committee, in accordance with § 2–1257 of the State Government Article, on whether the Maryland Medical Assistance Program has begun to provide comprehensive coverage for the treatment of obesity as authorized under § 15–160 of the Health – General

Article, as enacted by Section 1 of this Act, and if not, why the Department has not begun to provide coverage.

SECTION ~~3~~ 4 AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 31, 2026.