

# SENATE BILL 496

J1

(6lr2703)

## ENROLLED BILL

— Finance/Health —

Introduced by ~~Senator Hershey~~ Senators Hershey and Lam

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

12 BY repealing and reenacting, without amendments,  
13 Article – Health – General  
14 Section 15–103(a)(1)

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 Annotated Code of Maryland  
2 (2023 Replacement Volume and 2025 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article – Health – General  
5 Section 15–103(a)(2)(xxvii) and (xxviii)  
6 Annotated Code of Maryland  
7 (2023 Replacement Volume and 2025 Supplement)

8 BY adding to  
9 Article – Health – General  
10 Section 15–103(a)(2)(xxix) and 15–160  
11 Annotated Code of Maryland  
12 (2023 Replacement Volume and 2025 Supplement)

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

15 **Article – Health – General**

16 15–103.

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

19 (2) The Program:

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

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

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

28 **15–160.**

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

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

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

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

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

15           SECTION 3. AND BE IT FURTHER ENACTED, That, on or before November 1,  
 16 2027, the Maryland Department of Health shall report to the Senate Finance Committee,  
 17 the Senate Budget and Taxation Committee, the House Health Committee, and the House  
 18 Appropriations Committee, in accordance with § 2–1257 of the State Government Article,  
 19 on whether the Maryland Medical Assistance Program has begun to provide comprehensive  
 20 coverage for the treatment of obesity as authorized under § 15–160 of the Health – General  
 21 Article, as enacted by Section 1 of this Act, and if not, why the Department has not begun  
 22 to provide coverage.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.