

# HOUSE BILL 1565

P4, J1, J5

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By: **Delegates Miller, Martinez, Hornberger, Hutchinson, McComas, Nkongolo, Schmidt, and Wivell**

Introduced and read first time: February 13, 2026

Assigned to: Health and Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Obesity Management and Treatment Programs**  
3 **(Healthy Maryland for Every Body)**

4 FOR the purpose of requiring the Secretary of Budget and Management to include a certain  
5 obesity management and treatment program in the State Employee and Retiree  
6 Health and Welfare Benefits Program; establishing requirements for the obesity  
7 management and treatment program; requiring certain insurers, nonprofit health  
8 service plans, and health maintenance organizations to provide coverage for an  
9 obesity management and treatment program for certain individuals who have been  
10 diagnosed with obesity, diabetes, or other obesity–related conditions; and generally  
11 relating to the State Employee and Retiree Health and Welfare Benefits Program  
12 and coverage of obesity management and treatment programs by health insurance  
13 carriers.

14 BY repealing and reenacting, without amendments,  
15 Article – State Personnel and Pensions  
16 Section 2–501(a) and (c)  
17 Annotated Code of Maryland  
18 (2024 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – State Personnel and Pensions  
21 Section 2–503  
22 Annotated Code of Maryland  
23 (2024 Replacement Volume and 2025 Supplement)

24 BY adding to  
25 Article – Insurance  
26 Section 15–839.1  
27 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2017 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 – State Personnel and Pensions**

2–501.

(a) In this subtitle the following terms have the meanings indicated.

(c) “Program” means the State Employee and Retiree Health and Welfare  
Benefits Program.

2–503.

(a) The Secretary shall:

(1) adopt regulations for the administration of the Program;

(2) ensure that the Program complies with:

(i) all federal and State laws governing employee benefit plans; and

(ii) §§ 15–826, 15–826.1, 15–826.2, and, as applicable to  
contraceptive drugs and devices, 15–831(a) through (d) of the Insurance Article;

(3) each year, recommend to the Governor the State share of the costs of  
the Program; and

(4) make ongoing eligibility determinations to ensure that participation in  
the Program does not impede, undermine, or conflict with federal compliance obligations or  
government and cafeteria plan status.

(b) (1) The Secretary may arrange as the Secretary considers appropriate any  
benefit option for inclusion in the Program.

(2) The Secretary shall include in the Program an option to purchase up to  
\$200,000 of additional life insurance coverage for employees who:

(i) fly in a helicopter in the course of their employment with the  
State;

(ii) scuba dive in the course of their employment with the State; or

1 (iii) as a result of their employment with the State, face a significant  
2 likelihood of receiving a less favorable life insurance rating than an individual employed in  
3 a nonhazardous position.

4 (3) (i) The Secretary shall include a wellness program in the Program.

5 (ii) The wellness program shall:

6 1. be developed in consultation with the Secretary of Health;

7 2. promote the goals of the Maryland Department of Health  
8 State Health Improvement Process; and

9 3. aim to achieve savings in the Program over time that  
10 exceed the costs of the wellness program.

11 **(4) (I) THE SECRETARY SHALL INCLUDE AN OBESITY TREATMENT  
12 AND MANAGEMENT PROGRAM IN THE PROGRAM.**

13 **(II) THE OBESITY TREATMENT AND MANAGEMENT PROGRAM  
14 SHALL:**

15 **1. BE DEVELOPED IN CONSULTATION WITH THE  
16 SECRETARY OF HEALTH;**

17 **2. PROMOTE EVIDENCE-BASED, INTENSIVE,  
18 MULTICOMPONENT BEHAVIORAL AND LIFESTYLE MODIFICATION INTERVENTIONS  
19 THAT SUPPORT HEALTHY WEIGHT MANAGEMENT FOR INDIVIDUALS DIAGNOSED  
20 WITH OBESITY, DIABETES, AND OTHER OBESITY-RELATED CONDITIONS;**

21 **3. FOR THE PURPOSE OF PREVENTING OR DELAYING  
22 THE ONSET OF TYPE 2 DIABETES, INCLUDE STRUCTURED BEHAVIORAL CHANGE  
23 SESSIONS APPROVED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION;**

24 **4. PROVIDE COVERAGE FOR:**

25 **A. MEDICATION APPROVED BY THE FEDERAL FOOD AND  
26 DRUG ADMINISTRATION FOR CHRONIC WEIGHT MANAGEMENT IN INDIVIDUALS  
27 DIAGNOSED WITH OBESITY, DIABETES, AND OTHER OBESITY-RELATED CONDITIONS;  
28 AND**

29 **B. METABOLIC AND BARIATRIC SURGERY; AND**

30 **5. PROVIDE SERVICES IN OFFICE-BASED, VIRTUAL, AND  
31 COMMUNITY-BASED SETTINGS TO SUPPORT STATE EMPLOYEE ACCESS.**

1                   **(III) THE OBESITY TREATMENT AND MANAGEMENT PROGRAM**  
2 **MAY APPLY UTILIZATION MANAGEMENT AND PRIOR AUTHORIZATION**  
3 **REQUIREMENTS TO DETERMINE MEDICAL NECESSITY FOR THE TREATMENT OF**  
4 **OBESITY IF:**

5                   **1. MEDICAL NECESSITY DETERMINATIONS ARE MADE**  
6 **USING THE SAME STANDARDS APPLIED TO THE TREATMENT OF OTHER CHRONIC**  
7 **DISEASES; AND**

8                   **2. UTILIZATION MANAGEMENT PRACTICES ARE NOT**  
9 **APPLIED IN A MANNER THAT IS MORE RESTRICTIVE THAN THOSE USED FOR**  
10 **COMPARABLE MEDICAL OR SURGICAL BENEFITS.**

11           (c)     The Secretary shall specify by regulation the types or categories of State  
12 employees who:

13                   (1)     are eligible to enroll and participate in the Program with State  
14 subsidies;

15                   (2)     are eligible to enroll and participate in the Program without State  
16 subsidies; and

17                   (3)     are not eligible to enroll or participate in the Program.

18           (d)     (1)     The regulations adopted by the Secretary shall include provisions for  
19 the enrollment and participation of employees of all:

20                   (i)     organizations and entities that were participating in the  
21 Program as satellite organizations on January 1, 1993; and

22                   (ii)    employee organizations that qualify for payroll deductions under  
23 the provisions of § 2-403 of this title.

24                   (2)     Employees of organizations and entities covered by this section may  
25 participate:

26                   (i)     without State subsidies; and

27                   (ii)    with payment by the organization or entity of administrative  
28 costs resulting from the participation of its employees in the Program.

29                   (3)     The regulations adopted by the Secretary under this subsection shall  
30 provide that an employee organization specified in paragraph (1)(ii) of this subsection:

1 (i) may not enroll or participate in the Program unless the  
2 organization has notified the Secretary, in writing, on or before July 1, 1994 of the  
3 organization's intent to enroll and participate in the Program during calendar year 1994;  
4 and

5 (ii) may not enroll or participate in the Program on or after January  
6 1, 1995 unless the organization has participated in the Program during calendar year 1994.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
8 as follows:

9 **Article – Insurance**

10 **15-839.1.**

11 (A) IN THIS SECTION, “OBESITY TREATMENT AND MANAGEMENT PROGRAM”  
12 MEANS A PROGRAM THAT:

13 (1) PROMOTES EVIDENCE-BASED, INTENSIVE, MULTICOMPONENT  
14 BEHAVIORAL AND LIFESTYLE MODIFICATION INTERVENTIONS THAT SUPPORT  
15 HEALTHY WEIGHT MANAGEMENT FOR INDIVIDUALS DIAGNOSED WITH OBESITY,  
16 DIABETES, AND OTHER OBESITY-RELATED CONDITIONS;

17 (2) FOR THE PURPOSE OF PREVENTING OR DELAYING THE ONSET OF  
18 TYPE 2 DIABETES, INCLUDES STRUCTURED BEHAVIORAL CHANGE SESSIONS  
19 APPROVED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION;

20 (3) PROVIDES:

21 (I) MEDICATION APPROVED BY THE FEDERAL FOOD AND DRUG  
22 ADMINISTRATION FOR CHRONIC WEIGHT MANAGEMENT IN INDIVIDUALS  
23 DIAGNOSED WITH OBESITY, DIABETES, AND OTHER OBESITY-RELATED CONDITIONS;  
24 AND

25 (II) METABOLIC AND BARIATRIC SURGERY; AND

26 (4) PROVIDES SERVICES IN OFFICE-BASED, VIRTUAL, AND  
27 COMMUNITY-BASED SETTINGS TO SUPPORT ACCESS.

28 (B) THIS SECTION APPLIES TO:

29 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT  
30 PROVIDE COVERAGE FOR PRESCRIPTION DRUGS UNDER INDIVIDUAL, GROUP, OR

1 BLANKET HEALTH INSURANCE POLICIES OR CONTRACTS THAT ARE USED OR  
2 DELIVERED IN THE STATE; AND

3 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE  
4 COVERAGE FOR PRESCRIPTION DRUGS UNDER INDIVIDUAL OR GROUP CONTRACTS  
5 THAT ARE ISSUED OR DELIVERED IN THE STATE.

6 (C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR  
7 THE OBESITY TREATMENT AND MANAGEMENT PROGRAM TO AN INDIVIDUAL WHO  
8 HAS BEEN DIAGNOSED WITH OBESITY, DIABETES, OR OTHER OBESITY-RELATED  
9 CONDITIONS.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
11 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or  
12 after January 1, 2027.

13 SECTION 4. AND BE IT FURTHER ENACTED, That Sections 2 and 3 of this Act  
14 shall take effect January 1, 2027.

15 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section  
16 4 of this Act, this Act shall take effect October 1, 2026.