JOINT MEMORANDUM IN SUPPORT OF S.3104 (COONEY)/ A.4211 (REYES)
Comprehensive Obesity Treatment Health Insurance Coverage

The Obesity Action Coalition (OAC), The Obesity Society (TOS) and the American Society for Metabolic and Bariatric Surgery (ASMBS) strongly support S.3104 (Cooney)/A.4211 (Reyes), which would require coverage by both state-regulated commercial insurance and Medicaid for comprehensive obesity care including prevention and wellness, nutrition counseling, intensive behavioral therapy, FDA-approved obesity medications, and metabolic and bariatric surgery.

Obesity is a complex, multi-factorial, and chronic disease that requires a comprehensive medical approach to care. It is the second leading preventable cause of death in our country and is associated with a large number of co-morbid conditions, including diabetes, heart disease, kidney disease, liver disorders and other largely preventable illnesses. Care should therefore not be seen as simply having the goal of reducing body weight, but should additionally be focused on improving overall health and quality of life. Efforts should be made to both prevent and treat obesity at all stages, and in all age groups. This may include but is not limited to treatments such as surgery; physician supervised programs; drug, diet and lifestyle interventions; educational programs; and school and community-based programs.

New York ranks 44th in states impacted by obesity with 29.5% of New York adults living with obesity and another 35.2% affected by overweight. Obesity and diabetes disproportionately affect people of color and of lower socioeconomical status which are important factors that often determine access to health care. Disparities further exacerbate New York's obesity statistics and health outcomes with 36.2% of black and 33.5% of Hispanic New Yorkers are living with obesity compared to 28.9% of white New Yorkers. Persons with low incomes are more likely to be Medicaid recipients or uninsured, have poor-quality health care, and seek health care less often; when they do seek health care, it is more likely to be for an emergency. The total cost of obesity in the United States is $1.7 trillion and healthcare costs are 34% higher for people with obesity. Obesity costs New York $37.3 Billion annually in extra medical costs, disability, and reduced productivity. Expanding access to obesity care will help decrease the numerous illnesses and comorbidities that plague New Yorkers, while improving health outcomes and healthcare savings.

Healthcare coverage for obesity and weight management is inadequate and insufficient and varies significantly by each plan. We believe that health insurance should cover care for obesity as a standard benefit. Insurance should cover the most appropriate and proven treatments to treat the given stage of overweight or obesity. Recognizing obesity as a chronic condition, insurance should also cover necessary long-term follow-up care for obesity treatment. Access to care needs to be both mandatory and reasonable and should not require undue tests or prerequisites on the part of the patient. Recent research show 75% of Americans believe that individuals with obesity should have access to effective medical treatments, just like those with other chronic conditions. This view is held by 74% of Republicans and 83% of Democrats surveyed.

Obesity is a condition that is currently having and continues to have an impact at all levels of our society. As such, action is needed at the levels of the individual, community, government, healthcare and insurance. Obesity is not a condition of personal choice. Individuals affected by obesity frequently struggle with not only the health and physical consequences of their disease but also with professional and social consequences. Discrimination against individuals affected by obesity occurs in schools, workplaces, doctors' offices and more. No person should be discriminated against based on their size or weight. Individuals with obesity should be legally protected against such discrimination.

Furthermore, obesity is often misunderstood, which contributes to both discrimination and care issues. It is important to educate the public, health professionals, and policy makers about obesity as a disease, the issues impacting individuals affected by obesity and the treatments available to help.

Our organizations applaud Senator Cooney and Assemblymember Reyes for championing legislation that supports and protects more than half of the adult population in New York State (and the growing number of children) that are either living with obesity or overweight by increasing access to comprehensive obesity care coverage including prevention and wellness, FDA approved obesity medications, nutrition and behavioral therapy, and metabolic and bariatric surgery.

S.3104/A.4211 would ensure that people who are affected by obesity have access to affordable, individualized medical coverage for science-based treatments in the same way other chronic diseases are managed, allowing them to be treated with dignity, respect, and equality that is offered to their peers.

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