

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB23-176 be amended as follows:

1 Amend proposed committee amendment (SB176_L.004), page 1, line 37,
2 strike "HAVE." and substitute "HAVE.

3 **SECTION 2.** In Colorado Revised Statutes, **add** 25.5-5-334 as
4 follows:

5 **25.5-5-334. Prohibition on using the body mass index or ideal**
6 **body weight - medical necessity criteria.** (1) (a) BEGINNING JULY 1,
7 2023, THE STATE MEDICAL ASSISTANCE PROGRAM SHALL NOT UTILIZE THE
8 BODY MASS INDEX, IDEAL BODY WEIGHT, OR ANY OTHER STANDARD
9 REQUIRING AN ACHIEVED WEIGHT WHEN DETERMINING MEDICAL
10 NECESSITY OR THE APPROPRIATE LEVEL OF CARE FOR AN INDIVIDUAL
11 DIAGNOSED WITH AN EATING DISORDER, INCLUDING BUT NOT LIMITED TO,
12 BULIMIA NERVOSA, ATYPICAL ANOREXIA NERVOSA, BINGE-EATING
13 DISORDER, AVOIDANT RESTRICTIVE FOOD INTAKE DISORDER, AND OTHER
14 SPECIFIED FEEDING AND EATING DISORDERS AS DEFINED IN THE MOST
15 RECENT EDITION OF THE DIAGNOSTIC AND STATISTICAL MANUAL OF
16 MENTAL DISORDERS.

17 (b) SUBSECTION (1)(a) OF THIS SECTION DOES NOT APPLY WHEN
18 DETERMINING MEDICAL NECESSITY OR THE APPROPRIATE LEVEL OF CARE
19 FOR AN INDIVIDUAL DIAGNOSED WITH ANOREXIA NERVOSA, RESTRICTING
20 SUBTYPE; HOWEVER, BODY MASS INDEX, IDEAL BODY WEIGHT, OR ANY
21 OTHER STANDARD REQUIRING AN ACHIEVED BODY WEIGHT MUST NOT BE
22 THE DETERMINING FACTOR WHEN ASSESSING MEDICAL NECESSITY OR THE
23 APPROPRIATE LEVEL OF CARE FOR AN INDIVIDUAL DIAGNOSED WITH
24 ANOREXIA NERVOSA, RESTRICTING SUBTYPE.

25 (2) THE FOLLOWING FACTORS, AT A MINIMUM, MUST BE
26 CONSIDERED WHEN DETERMINING MEDICAL NECESSITY OR THE
27 APPROPRIATE LEVEL OF CARE FOR AN INDIVIDUAL DIAGNOSED WITH AN
28 EATING DISORDER:

29 (a) THE INDIVIDUAL'S EATING BEHAVIORS;

30 (b) THE INDIVIDUAL'S NEED FOR SUPERVISED MEALS AND SUPPORT
31 INTERVENTIONS;

32 (c) LABORATORY RESULTS, INCLUDING BUT NOT LIMITED TO, THE
33 INDIVIDUAL'S HEART RATE, RENAL OR CARDIOVASCULAR ACTIVITY, AND
34 BLOOD PRESSURE;

35 (d) THE RECOVERY ENVIRONMENT; AND

36 (e) CO-OCCURRING DISORDERS THE INDIVIDUAL MAY HAVE."

37 Renumber succeeding sections accordingly."

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