

1 A bill to be entitled
2 An act relating to obesity treatment and diabetes
3 prevention; creating s. 381.73531, F.S.; providing
4 definitions; requiring the Agency for Health Care
5 Administration to provide certain treatments for the
6 chronic disease of obesity; providing for coverage of
7 and access to such treatments; authorizing rulemaking;
8 providing construction; requiring the agency to
9 provide coverage through Medicaid reimbursement for
10 the diabetes prevention program under certain
11 circumstances; authorizing the Department of Health to
12 apply for a state plan amendment under certain
13 circumstances; providing an effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 **Section 1. Section 381.73531, Florida Statutes, is created**
18 **to read:**

19 381.73531 Obesity treatment and diabetes prevention.—

20 (1) DEFINITIONS.—For purposes of this section, the term:

21 (a) "Agency" means the Agency for Health Care
22 Administration.

23 (b) "Diabetes prevention program" means structured
24 behavioral health changes provided to an eligible individual by
25 a diabetes prevention program supplier for the purpose of

26 preventing or delaying the onset of Type 2 diabetes which
27 follows a curriculum approved by the Centers for Disease Control
28 and Prevention.

29 (c) "Diabetes prevention program supplier" means an entity
30 that is recognized under the Diabetes Prevention Recognition
31 Program of the Centers for Disease Control and Prevention and
32 offers a program through an allowable Diabetes Prevention
33 Recognition Program delivery mode including in-person or through
34 telehealth as defined in s. 456.47(1).

35 (d) "FDA-approved obesity medication" means any medication
36 approved by the federal Food and Drug Administration (FDA) with
37 an indication for chronic weight management in patients with an
38 obesity diagnosis.

39 (e) "Intensive health behavior and lifestyle treatment"
40 means an evidence-based, intensive, multi-component behavioral
41 or lifestyle modification intervention that supports healthy
42 weight management and is delivered in-person or through
43 telehealth as defined in s. 456.47(1).

44 (f) "Metabolic and bariatric surgery" means any surgical
45 intervention included in the most current American Society for
46 Metabolic and Bariatric Surgery and International Federation for
47 the Surgery of Obesity and Metabolic Disorders (ASMBS-IFSO)
48 guidelines on indications for metabolic and bariatric surgery.

49 (2) (a) The agency shall provide treatments for the chronic
50 disease of obesity, which shall include, but not be limited to,

51 all of the following:

52 1. Intensive health behavior and lifestyle treatment.

53 2. Metabolic and bariatric surgery.

54 3. FDA-approved obesity medications.

55 (b) Coverage criteria for FDA-approved obesity medications
56 may not be more restrictive than the FDA-approved indications
57 for those treatments.

58 (c) Intensive health behavior and lifestyle treatment may
59 include interventions certified by or recognized by the Centers
60 for Disease Control and Prevention or recommended by current
61 clinical standards of care. The services may be provided in-
62 person or through telehealth as defined in s. 456.47(1).

63 (d) The agency shall adopt rules to implement this
64 subsection and notify health care providers in writing about the
65 coverage of treatment for the chronic disease of obesity
66 provided pursuant to this subsection.

67 (e) This subsection does not prohibit the Department of
68 Health from applying utilization management review procedures to
69 determine the medical necessity for treatment of the chronic
70 disease of obesity under this section if appropriateness and
71 medical necessity determinations are made in the same manner as
72 those determinations are made for the treatment of any other
73 illness, condition, or disorder covered by a contract.

74 (3) (a) The agency shall provide coverage for the diabetes
75 prevention program.

HB 713

2025

76 (b) Beginning July 1, 2025, Medicaid shall reimburse a
77 provider for an enrollee's participation in the diabetes
78 prevention program if the enrollee:

79 1. Meets the program eligibility requirements.

80 2. Has not previously participated in the program while
81 enrolled in Medicaid.

82 (c) The department may apply for a state plan amendment if
83 necessary to implement this section.

84 **Section 2.** This act shall take effect July 1, 2025.