



EDUCATION and WORKFORCE DEVELOPMENT CABINET  
Department of Workforce Investment

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**SERVICE FEE MEMORANDUM**

TO: Office of Vocational Rehabilitation Staff  
Client Assistance Program Administrator

FROM: Cora McNabb  
Executive Director  
Office of Vocational Rehabilitation

THROUGH: Charles W. Puckett  
Central Office Administrator  
Division of Program Services

DATE: October 24, 2007

RE: Bariatric Surgery

Assistance with the cost of Bariatric Surgery (Roux-en-Y Gastric Bypass and Lap Band) or other associated procedures can be provided only when **all** of the following conditions have been met and there is documentation to support that:

1. The individual is under the care of a physician and has made legitimate efforts at weight loss through participation in multiple weight loss programs such as counseling, a monitored diet (i.e. Weight Watchers, Health Management Resources, Jenny Craig) and exercise. Any diet program must contain a required weigh-in component and a consultation component. Documentation from these service providers must indicate legitimate efforts have been made on the part of the individual. In addition, physician documentation must indicate that all acceptable alternatives have been exhausted;

2. If these weight loss programs are provided as services under an Individualized Plan for Employment (IPE), the Office of Vocational Rehabilitation will pay up to \$500.00 of the cost. The cost of nutritional products and/or food which might be a part of these programs is the responsibility of the consumer. If the consumer participated in any such program(s) prior to referral to the Office of Vocational Rehabilitation, some element of this participation must have occurred within 12 months of referral;
3. The individual has been diagnosed with **morbid obesity**. According to the National Institutes of Health (NIH), a person is considered "obese" when he or she weighs 20 per cent or more than his or her ideal body weight. Obesity becomes "morbid" when it significantly increases the risk of one or more obesity-related health conditions or serious diseases (also known as co-morbidities). Morbid obesity, sometimes called "clinically severe obesity," is defined by the National Institutes of Health as being 100 lbs. or more over ideal body weight or having a body mass index of 40 or higher. Morbid obesity is a serious chronic disease, meaning that its symptoms build slowly over an extended period of time;
4. The individual has been administered a General Psychological Test Battery to include Clinical Interview, Intellectual, Vocational Interest, Educational Skill, and Personality Evaluations; and Written report to include Clinical Impressions, Diagnoses, Prognoses, and Recommendations by a Licensed Psychologist, Certified Psychologist with Autonomous Functioning or a Licensed Psychological Practitioner not affiliated with the bariatric center proposing the surgery;
5. The medical or psychological cause(s) of the individual's weight gain has been properly identified prior to surgery and appropriate treatment has been applied or administered in accordance with the diagnosis;
6. The individual has been evaluated by a bariatric practice - and;
7. At least one physician other than the surgeon has been consulted and did determine the procedure to be medically necessary and the only remaining option for treatment.

All bariatric surgeries are done on a **by report** basis. As with all physical restoration services, the Office of Vocational Rehabilitation assistance can only be provided with those surgical procedures that have been approved in the United States. Procedures that are still in clinical trials or considered experimental will not be covered even if all the above conditions have been met. This service, as is the case with all physical restoration services, is subject to financial needs testing and utilization of all comparable benefits.

As is the case with all services, bariatric surgery services must be required in order for the consumer to secure, retain, or prepare for employment.