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September 30, 2011

Louis Jacques, MD
Director, Coverage and Analysis Group
Centers for Medicare & Medicaid Services
7500 Security Blvd.
Baltimore, MD 21244

Dear Dr. Jacques:

On behalf of the 27,000 members of the Obesity Action Coalition (OAC), I am pleased to submit the following comments regarding the Centers for Medicare & Medicaid Services (CMS) proposed National Coverage Decision regarding intensive behavioral counseling for the disease of obesity. We appreciate the opportunity to provide the Medicare program with feedback regarding this important coverage issue.

Treating or addressing obesity among those already affected by obesity is difficult. This is clearly demonstrated by the more than 34 percent of Americans who are currently affected by obesity. However challenging though, efforts must be made to both prevent and treat obesity at all stages and in all age groups. Patients and their healthcare providers need an arsenal of treatments -- as any one treatment may not work for every individual.

The OAC believes that Medicare should provide coverage for the continuum of care for the overweight or obese patient -- including behavioral and nutritional counseling, physician-supervised programs, pharmaceuticals and surgical treatment. Such an approach would be consistent with diagnosis and treatment coverage policy for other chronic diseases.

Therefore, we applaud CMS for proposing such a comprehensive schedule for intensive behavioral counseling services for those Medicare beneficiaries affected by obesity who are competent and alert at the time that counseling is provided and whose counseling is furnished by a qualified primary care physician or other primary care practitioner and in a primary care setting.

This coverage decision will have a tremendous effect on addressing our country's obesity epidemic and the costs associated with treating obesity-related co-morbidities among Medicare beneficiaries. Medicare's catalytic efforts on this issue will also hopefully encourage commercial health plans to consider expanding their coverage policy to include intensive behavioral intervention for obesity.

As the Medicare program moves forward in expanding its coverage of obesity treatment services, the OAC suggests that CMS strongly consider expanding the providers eligible to deliver such services to include dietitians, nutritionists, mental health professionals and Certified Obesity Medical Physicians (COMP). These healthcare professionals represent the front line of the multi-disciplinary treatment team for those affected by obesity.



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The OAC cannot stress strongly enough the importance of Medicare's leadership role in expanding the treatment avenues available to those affected by obesity. For these reasons, the OAC is pleased to endorse the guidelines outlined in the August 30, 2011 proposed NCD as a critical first step toward eventually securing Medicare beneficiary access to, and coverage of, intensive obesity behavioral counseling services provided by all healthcare professionals that make up the obesity care continuum.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Nadglowski", is written over a light gray rectangular background.

Joseph Nadglowski
OAC President and CEO