

AdvocacyNews AdvocacyAction

Medicare Releases Proposed New Rules for Weight-Loss Surgery

As many of you are aware, on November 23, 2005, the Centers for Medicare & Medicaid Services (CMS), the governing agency of Medicare, released proposed new rules under a National Coverage Decision (NCD) for weight-loss surgery.

The OAC strongly believes these proposed rules are a positive change that will improve access to the treatment of morbid obesity. Understanding the rules and regulations proposed under the NCD are important not only for those currently insured by Medicare, but also for those covered by commercial insurance policies, as many insurance companies base their coverage decisions on Medicare's policies.

The proposed rules validate the treatment of morbid obesity through weight-loss surgery. Surgical treatment options for Medicare recipients, who are under the age of 65, will now include both open and laparoscopic Roux-EN-Y gastric bypass as well as laparoscopic adjustable gastric banding (commonly known as Lap-Band) as long as the patient has a body mass index (BMI) of 35 or greater, one obesity-related health problem and has been previously unsuccessful with the medical treatment of their obesity.

The OAC's Response

The OAC supports the coverage of weight-loss surgery, as studies show the surgical treatment of morbid obesity decreases mortality, improves or resolves obesity-related illnesses and improves quality of life.

However, the OAC does have specific concerns with portions of the NCD as it proposes eliminating coverage of weight-loss surgery as a benefit for those more than 65 years of age. Other concerns include not specifying or defining the requirement of being unsuccessful with the medical treatment of obesity to access surgery,

failure to provide coverage of biliopancreatic diversion with duodenal switch (BPDS) and a lack of information on payment for the required future follow-up physician and healthcare professional visits required for optimal post-operative care.

"We received an overwhelming response of support from our members on this subject, and we greatly appreciate all those who submitted comments to CMS," said Joseph Nadglowski, Jr., President and CEO.

In order to assist patients, the OAC developed *A Patient's Guide to Advocating for Improved Access to Weight-Loss Surgery under Medicare* to encourage and assist those affected by obesity in their advocacy efforts. Please visit www.obesityaction.org to view an electronic and printable version of this guide.

OAC Calls on Wal-Mart to Renounce Discrimination against Obese Employees

On November 2, 2005, the OAC issued a letter to S. Robson Walton, Chairman of the Board of Directors of Wal-Mart Stores, Inc., urging the company to renounce their proposed discriminatory healthcare statements in a recent memo, titled "Reviewing and Revising Wal-Mart's Benefits Strategy," which discusses projected changes to employee benefits and hiring practices.

On November 21, the OAC received a written response from Wal-Mart commenting on the OAC's request. An excerpt from the letter states, "We hire people who are qualified to do the job we're hiring them for. Period. For those we hire, we want to help our associates live the healthiest lives possible," said Greg Goggans, Director of Benefits Design.

For the most current information on this topic or to read Wal-Mart's response in its entirety, please visit the "Advocacy" section of the OAC Web site at www.obesityaction.org and click on the "National Issues" link.



ABOUT THE OBESITY ACTION COALITION (OAC)

The Obesity Action Coalition (OAC) is a National non-profit organization dedicated to giving a voice to individuals affected by obesity and helping them along their journey toward better health. Our core focuses are to elevate the conversation of weight and its impact on health, improve access to obesity care, provide science-based education on obesity and its treatments, and fight to eliminate weight bias and discrimination.



VIBRANT COMMUNITY



NATIONAL AWARENESS CAMPAIGNS



ANNUAL CONVENTION



ADVOCACY



PUBLIC EDUCATION

LEARN, CONNECT, ENGAGE

The OAC knows that the journey with weight can be challenging but we also know that great things happen when we learn, connect and engage. That is why the OAC Community exists. Our Community is designed to provide quality education, ongoing support programs, an opportunity to connect, and a place to take action on important issues.

Through the OAC Community, you can get access to:

- Weight & Health Education • Community Blogs
 - Community Discussion Forum
 - Ongoing Support • Meaningful Connections
- AND MUCH MORE**



JOIN TODAY: GO TO OBESITYACTION.ORG/JOIN

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