

# ADVOCACY NEWS

## ADVOCACY ACTION

### Obesity Community Comments on State Exchange Benchmark Plan Selection for Determining Essential Health Benefits Package

by Chris Gallagher, OAC Policy Consultant

eat right. Academy of Nutrition and Dietetics



August 22, 2012

RE: Public Comment on the Essential Benefit Benchmark Plan Selection

Submitted via email to: Milton.sanchez@state.nm.us

To Whom it May Concern:

In the coming weeks, the State of New Mexico will move forward in selecting a benchmark health plan to define the scope of its essential health benefits package for its health exchange plan. At this critical juncture, the leading organizations of the obesity community implore the state to recognize our country's rising obesity epidemic and the importance of ensuring patient access to the coordinated continuum of medically necessary care to treat those affected by obesity.

Similar to many other medical conditions, obesity is a complex, multifactorial chronic disease, which requires a multidisciplinary treatment approach. This approach must encompass the best standards of care, both in terms of the treatments chosen, and the care coordination and clinical environment in which they are delivered.

Just as those affected by heart disease receive their care through a coordinated multidisciplinary treatment team, those affected by obesity should also follow a similar continuum of coordinated care. Because of the complex nature of obesity and its variety of impacts on both physical and mental health, effective treatment requires the coordinated services of providers from several disciplines and professions (both physician and non-physician) within both of these treatment areas.

**Specifically, we are recommending that the State adopt the Presbyterian Health Plan for State Employees as the model for the essential benefit package with the addition of services required under the Affordable Care Act (see below paragraph) as this plan provides coverage for critical obesity treatment services such as nutritional counseling, pharmacotherapy and bariatric surgery.**

Additionally, we urge the state to expand treatment services across the care continuum. For example, at the front end, those affected by obesity will now have access to covered obesity screening and referral to intensive, multicomponent behavioral interventions, as these "preventive" services are recommended by the United States Preventive Services Task Force and mandated under the Affordable Care Act.

Second, we recommend that a process for adding "new" essential benefits be developed quickly as safe, effective and evidence based obesity treatments, such as obesity drugs, either are available or will soon be available to citizens of New Mexico. These exciting new treatment tools will be especially critical for those who do not respond to behavioral intervention but may not yet be ready for bariatric surgery.

#### Let's Treat Obesity with the Respect, Urgency, and Action it Deserves!

Too often, for too long, private health plans have excluded coverage for obesity treatment services -- partly due to shortsighted cost savings efforts and partly due to the false assumption that these services are either not medically necessary, or not in line with generally accepted standards of medical care despite scientific evidence to the contrary...

In August, the OAC joined with other leading groups from the obesity community (American Society for Metabolic and Bariatric Surgery [ASMBS], The Obesity Society [TOS], The American Society of Bariatric Physicians [ASBP] and Academy of Nutrition and Dietetics [A.N.D.]) in submitting joint comments to a number of states, which are in the process of choosing a benchmark health plan to determine the scope of their essential health benefits (EHB) package.

In the wake of this summer's Supreme Court ruling on the Affordable Care Act, many states have jump started this process which entails the state choosing one plan for its benchmark from either the:

- Three largest small group plans
- Three largest state employee plans
- Largest commercial HMO plan
- Three Federal Employees Health Benefits plans

Therefore, many states are soliciting public comment from stakeholder groups (such as the OAC) regarding which health plan would be the best choice for the state to select – based on balancing coverage and cost. Throughout the last month, the obesity community delivered comments on this critical issue to state policymakers in Arizona, Colorado, Kentucky, Maryland, Nebraska, New Mexico, Nevada, New York, Rhode Island, Tennessee and Utah.

Each of these state-specific comment letters were based on significant research by the leadership of OAC, TOS, ASBP, ASMBS and A.N.D. to determine which health plan provides the best coverage of obesity treatment services.

In the comments, the obesity community urges policymakers to recognize that:

*"Similar to many other medical conditions, obesity is a complex, multifactorial chronic disease, which requires a multidisciplinary treatment approach. This approach must encompass the best standards of care, both in terms of the treatments chosen, and the care coordination and clinical environment in which they are delivered...and just as those affected by heart disease receive their care through a coordinated multidisciplinary treatment team, those affected by obesity should also follow a similar continuum of coordinated care. Because of the complex nature of obesity and its variety of impacts on both physical and mental health, effective treatment requires the coordinated services of providers from several disciplines and professions (both physician and non-physician) within both of these treatment areas."*

As you can see, the obesity community feels it is very important that the disease of obesity be treated just like any other disease state.

For more information about open public comment periods in your state, please contact OAC Policy Consultant Chris Gallagher at [chris@potomaccurrents.com](mailto:chris@potomaccurrents.com). To view the comments submitted to date, please visit [www.obesityaction.org](http://www.obesityaction.org).



# 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](http://OBESITYACTION.ORG/JOIN)**

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