

**From:** [Kotsen, Chris Psy.D.](#)  
**To:** [E-OHPSCA2713.EBSA](#)  
**Subject:** Public comments on interim final regulations regarding coverage of Preventive Health Services  
**Date:** Thursday, July 15, 2010 12:35:58 PM

---

As, an expert clinician who has provided preventative care services to over 1,000 tobacco dependent smokers, I have some important comments about this portion of the new healthcare reform law.

While this new benefit will undoubtedly save lives and money, it is important that it is implemented without broad reaching limitations and as few barriers as possible, so it's benefits can be fully realized.

1. It is absolutely necessary that the benefit applies to "out of network" clinicians, in addition to in-network providers. In many states and towns, certain insurance companies have no local in-network providers. Patients may need to drive 30-60 minutes to get the preventive services they need and most patients won't do this, for multiple reasons. Also, employers, and sometimes the patients themselves switch health insurance plans, but want to maintain preventive services with a clinician with whom they have solid relationship. These essential services need to be covered by all in-network and all out of network clinicians as well.

2. Insurance companies at times play games and place arbitrary limitations on the type of clinician who can provide the medical service. It is essential that these arbitrary limitations not be placed and that insurance companies aren't allowed to discriminate against certain groups of clinicians. For example, it should be indicated that the service shall be delivered (and paid by the insurance company to the provider) by any clinician delivering the preventive care who's scope of practice based on certification and/or licensure permits delivery of the service.

3. Finally, there should be no limitation on the type of service rendered. For example, in the case of tobacco dependence counseling, many patients will prefer group counseling (incidentally which are highly cost effective for the insurance company). Therefore, individual and group counseling should both be covered and paid services - these services have both been proven "evidence based" in clinical (see PHS Guidelines, Treating Tobacco Dependence, 5/08) and real world studies. Additionally, all proven preventive services are not alike. Some preventive services require more than one dose or counseling visit, to yield a high impact. In the case of tobacco dependency counseling there should be no limitations on the amount of visits/year from the insurance company, since level of addiction and multiple case-mix variables make it impossible to predict exact "dosage" needed for optimal impact on an individual patient. The decision on number of visits needed (and reimbursed/year) should be made by the clinician and patient, absolutely not the insurance company.

Thanks,

Chris Kotsen, PsyD, CTTS  
Program Manager, Tobacco Quitcenter  
Somerset Medical Center  
110 Rehill Ave.  
Somerville, NJ 08876  
Phone (908) 685-2902  
Fax (908) 685-2548

Important news about our email communications.

---

-----  
-----

In our commitment to maintain privacy in all our electronic communications, we are proud to announce the rollout of a new hospital-wide security project, which will enable us to protect confidential information sent externally via email through the use of encryption.

When an encrypted email is sent to you, you will receive a Secure Message with a link to view your message. First-time recipients will be asked to create a password before given access to the Message Center to open the message.

To learn more about our email encryption solution, please go to:

<http://userawareness.zixcorp.com/sites/index.php?b=411&type=1&p=0>

---

#### CONFIDENTIALITY NOTICE

This message and any included attachments are from Somerset Medical Center and are intended only for the addressee. The information contained in this message is confidential and may contain privileged, confidential, proprietary and/or trade secret information entitled to protection and/or exemption from disclosure under applicable law. Unauthorized forwarding, printing, copying, distribution, or use of such information is strictly prohibited and may be unlawful. If you are not the addressee, please promptly delete this message and notify the sender of the delivery error by e-mail or you may call Somerset Medical Center's computer Help Desk at 908-685-2200, ext. 4050.

Be sure to visit Somerset Medical Center's Web site - [www.somersetmedicalcenter.com](http://www.somersetmedicalcenter.com) - for the most up-to-date news, event listings, health information and more.