

September 15, 2010

The Honorable Kathleen Sebelius
Secretary, Department of Health and Human Services
HHS/OS/IOS
Room 615-F
200 Independence Avenue SW
Washington, CD 20201

RE: Ensuring confidential care to adolescents and young adults receiving U.S. Preventive Services Task Force (USPSTF) preventive health services graded A or B

Dear Secretary Sebelius:

The Colorado Association for School-Based Health Care (CASBHC) seeks guaranteed confidentiality and greater utilization of the U.S. Preventive Services Task Force (USPSTF) A and B graded preventive health services among adolescents and young adults. We believe resolution can come from guidance or regulations being written to implement Section 2713 of the Public Health Service Act as amended by the Patient Protection and Affordable Care Act.

School-based health centers (SBHCs) provide health care access to more than 1.7 million children and adolescents across the country. In Colorado alone, over 27,000 children and adolescents receive much needed health services in SBHCs. To encourage adolescent utilization of USPSTF recommended A and B graded services in SBHCs, confidentiality must be guaranteed.

The Affordable Care Act requires many health plans to provide coverage for clinical preventive services without co-payments or deductibles. This includes clinical services graded A or B by the USPSTF, immunizations recommended by Advisory Council on Immunization Practices, and services recommended for children and teens in Bright Futures, STD screening and counseling, pap smears, and HPV immunizations.

Currently, teens in most states can independently consent to the majority of the A and B graded services, however, they are only likely to utilize these services if they are guaranteed confidentiality. If SBHCs seek reimbursement for these services from a commercial health plan, confidentiality is at risk because health plans are required to send Explanation of Benefits (EOBs) detailing services provided to the policy holder, who is often a parent. Thus, the requirement to issue an EOB may disclose an otherwise confidential service. Research over two decades has shown that privacy is a critical concern among teens and young adults as they seek health care, particularly services related to sexual health, contraception, and STDs.¹ This issue, already complex, is made more so by

numerous federal and state laws and regulations, but must be addressed to ensure young people take advantage of preventive care.

The Colorado Association for School-Based Health Care joins the National Assembly on School-Based Health Care and the Partnership for Prevention in recommending that the Department of Health and Human Services address the EOB barrier to confidential services for adolescents and young adults by **eliminating the requirement to issue EOBs for all USPSTF recommended A and B preventive services**. Given that the Affordable Care Act requires USPSTF A and B clinical preventive services be offered at no cost to the patient or policy holder, EOBs for the provision of these services are unnecessary. Health plans can inform policy holders in their annual policy statement that, in an effort to uphold confidentiality, information about certain sensitive services will not be included in an EOB.

Providing coverage, without a co-pay or deductible, for preventive services recommended by the USPSTF is a positive step forward in improving adolescent health and avoiding costly, preventable complications. However, adolescents must be guaranteed confidentiality in order to increase utilization of the recommended services. The advent of health reform offers an opportunity to eliminate challenging confidentiality barriers that will benefit the health of adolescents now and in the future.

Sincerely,



Deborah Kay Costin
Executive Director
Colorado Association for School-Based Health Care

ⁱ Center for Adolescent Health and the Law, <http://www.cahl.org/web/index.php/publications/consent-confidentiality-protection>.