

NACCHO

National Association of County & City Health Officials

The National Connection for Local Public Health

September 17, 2010

The Honorable Kathleen Sebelius
Secretary, Department of Health and Human Services
Room 615-F
200 Independence Ave. SW
Washington, DC 20201

Dear Secretary Sebelius:

This letter concerns guidance or regulations to implement Section 2713 of the Public Health Service Act as amended by the Patient Protection and Affordable Care Act (ACA).

The National Association of County and City Health Officials (NACCHO) represents the nation's 2800 local health departments. These city, county, metropolitan, district and tribal departments work every day to ensure the conditions that promote health and equity, combat diseases, and improve the quality and length of all lives for all people in their communities through public health policies and services.

In order to safeguard the public's health, NACCHO recommends that patients, especially adolescents, should have access to timely, confidential health services and that information documenting the delivery of such health services, including Explanation of Benefits (EOB), health services billing statements and portions of immunization records describing STD-related immunizations, should be kept confidential.

Health plans are required to provide an EOB detailing services provided to the policy holder, who is often a parent. Thus, the requirement to issue an EOB may inadvertently disclose an otherwise confidential service.

Local health departments are concerned that needed services may go unutilized because of confidentiality concerns, which, in turn potentially affects the health of the whole community. Options for addressing the EOB barrier to confidential services for adolescents and young adults include:

- Eliminating the requirement to issue EOBs for all US Preventive Services Task Force (USPSTF) Recommended A and B preventive services;
- Excluding screening for sexually transmitted diseases and other sensitive preventive services from EOB documents;
- Providing a simple procedure for healthcare providers to request that no EOB is issued to policy holders for sensitive services; or
- Allowing an EOB stating general medical services were rendered, but not providing specific details.

Adolescents have distinctive health challenges and need confidential access to care to protect their health and the health of others. Please consider these suggestions and the need for confidentiality to be preserved for all patients. Thank you for your attention to this issue.

Sincerely,



Robert M. Pestronk
Executive Director

