

INSURANCE BULLETIN 193

Tobacco Cessation Programs

The purpose of this Bulletin is to inform and remind Health Insurers of the Department of Financial Regulation's position on the importance of offering tobacco cessation programs and communicating to members and providers the availability of the programs. Both the Affordable Care Act (ACA) and 8 V.S.A. § 4100j require coverage for tobacco cessation programs. The United States Preventative Screening Task Force has recommended that clinicians ask all adults about tobacco use and provide tobacco cessation interventions for those who use tobacco products. In implementing the ACA, the Federal Departments of Labor, Health and Human Services and the Treasury (the "Federal Departments") issued FAQs providing guidance for compliance when offering tobacco cessation programs. The Federal Departments consider a plan to be in compliance if ---

"the plan or issuers covers without cost-sharing:

1. Screening for tobacco use; and
2. For those who use tobacco products, at least two tobacco cessation attempts per year. For this purpose, covering a cessation attempt includes coverage for:
 - Four tobacco cessation counseling sessions of at least 10 minutes each (including telephone counseling, group counseling and individual counseling) without prior authorization; and
 - All Food and Drug Administration approved tobacco cessation medications (including both prescription and over-the-counter medications for a 90-day treatment regimen when prescribed by a health care provider without prior authorization)."

Health and Human Services has issued guidance that the following tobacco cessation products are appropriate:

- Nicotine gum
- Nicotine patch
- Nicotine lozenge
- Nicotine oral or nasal spray
- Nicotine inhaler
- Bupropion
- Varenicline



It is the Department of Financial Regulation's position that Health Insurers, in addition to providing the required coverage, should make a good faith effort to reach out to members and to providers informing them of the availability of Tobacco Cessation Programs.

Dated: MAY 4, 2017


Michael S. Pieciak, Commissioner