

January 21, 2005

Marcel Salive, MD, MPH
Director, Division of Medical & Surgical Services
Coverage and Analysis Group
7500 Security Boulevard - C1-09-28
Baltimore, Maryland 21244

RE: Proposed Coverage Decision Memorandum for Smoking and Tobacco Use Cessation
Counseling (CAG 00241N)

Dear Dr. Salive:

This letter is being submitted on behalf of a number of organizations committed to reducing death, disease and disability caused by tobacco use. We strongly support the December 23, 2004 announcement by the Centers for Medicare and Medicaid Services (CMS) proposing coverage for tobacco cessation counseling services under Medicare. The decision by CMS is well-grounded in the evidence base and providing this coverage will have a significant, positive impact on the health of millions of seniors for many years to come.

The decision by CMS to provide coverage of counseling services sets a clear and strong precedent that should be followed by further actions to ensure that all federally-covered lives have access to the full spectrum of tobacco cessation services, including behavioral interventions and pharmacotherapies. While the current decision by CMS only addresses counseling services, we recognize that, beginning in January 2006, prescription pharmacotherapies for tobacco cessation will become available to all Medicare beneficiaries, and applaud that upcoming change as well. We urge CMS to ensure that the implementation of the counseling benefit is done in such a manner as to maximize the availability and impact of both counseling and pharmacotherapy services. For example, when implementing the prescription drug provisions related to FDA-approved cessation drugs, we urge CMS to ensure access to over-the-counter pharmacotherapies that are available via a physician's prescription (e.g., "legend" transdermal nicotine patches).

While we applaud this decision, we also want to reiterate our support for access to comprehensive, evidence-based tobacco cessation services within all federally-funded health care programs (e.g., Medicare, Medicaid, FEHBP, federally qualified health centers, rural health centers, etc...). Consistent with ensuring that evidence-based treatment services are available through all federally-funded programs, we urge CMS and the Department to fully implement all the recommendations of the cessation National Action Plan (*Preventing 3 Million Premature Deaths, Helping 5 Million Smokers Quit: A National Action Plan for Tobacco Cessation*) developed by the Subcommittee on Cessation of the Interagency Committee on Smoking and Health and submitted to Secretary Thompson in February 2004. The current decision by CMS is a small part of this overall strategy to combat the devastating toll of tobacco use on the American public. The entire action plan, if implemented, would have an historic impact on tobacco use rates in the United States and would help more than five million smokers quit and save over three million lives. Some of the action plan can readily be addressed administratively (much like the action taken by CMS on counseling for Medicare) while other provisions will require legislative authority and budgetary resources

to execute (e.g., adequate and sustained funding for the national telephone quitline). Our organizations stand ready to support you in further efforts to implement the National Action Plan.

Once again, we want to reiterate our strong support for the proposal announced by CMS on December 23, 2004 for coverage of tobacco cessation counseling under Medicare.

Sincerely,

Action on Smoking or Health
American Academy of Family Physicians
American Academy of Nurse Practitioners
American Academy of Pediatrics
American Association for Respiratory Care
American Cancer Society
American College of Cardiology
American College of Chest Physicians
American College of Occupational and Environmental Medicine
American College of Physicians
American College of Preventive Medicine
American Dental Association
American Dental Hygienists' Association
American Heart Association
American Lung Association
American Psychological Association
American Public Health Association
American Society of Addiction Medicine
American Thoracic Society
Association of Maternal and Child Health Programs
Association of Schools of Public Health
Association of Teachers of Preventive Medicine
Association of Women's Health, Obstetric and Neonatal Nurses
Campaign for Tobacco-Free Kids
Center for Tobacco Cessation
Community Anti-Drug Coalitions of America/Drug-Free Kids Campaign
C-Change, formerly the National Dialogue on Cancer
March of Dimes
National Association of County and City Health Officials
National Latino Council on Alcohol and Tobacco Prevention
National Research Center for Women & Families
National Women's Law Center
Oncology Nursing Society
Society for Public Health Education
Society for Research on Nicotine and Tobacco
University of Wisconsin Center for Tobacco Research and Intervention