

# United States Senate

WASHINGTON, DC 20510-4704

June 18, 2015

Peter Alder  
President  
Molina Healthcare of Washington  
22125 17th Ave. SE, Suite F-117  
Bothell, WA 98021

Dear Mr. Adler,

The Affordable Care Act (ACA) made great strides toward improving our health care system and making it work better for patients and families. Today, over 8 million people have enrolled in coverage nationwide, including 170,000 Washington state residents. I believe we need to continue building on this progress with more affordability, better coverage, and higher quality care. Preventive care is a fundamental part of this effort, and I write today to commend Molina Healthcare of Washington's work so far to fully implement provisions in the ACA that require coverage of tobacco cessation services without cost-sharing and to ensure that consumers in Washington state have access to critical support when trying to stop smoking.

As you are aware, a key provision of the ACA requires health insurance issuers to provide coverage without any cost-sharing for preventive services based on the recommendations of the United States Preventive Services Task Force (USPSTF). Tobacco cessation interventions, including medication and counseling, are clearly defined as one of these benefits. However, a study conducted by Georgetown University in 2012 found that many insurance policies had gaps in coverage of tobacco cessation medication and counseling, and some insurance carriers were still requiring copayments for these treatments, despite the law's requirements.<sup>1</sup> Following this study, the Departments of Labor, Health and Human Services, and Treasury released guidance in May 2014 stating that insurers that covered individual, group, and phone tobacco cessation counseling sessions (at least four per quit attempt) and "all Food and Drug Administration (FDA)-approved tobacco cessation medications including both prescription and over-the-counter

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<sup>1</sup> Kofman, M., Dunton, K., & Senkewicz, M. (2012, November 26). Implementation of Tobacco Cessation Coverage under the Affordable Care Act: Understanding How Private Insurance Policies Cover Tobacco Cessation Treatments. Retrieved June 10, 2015, from <http://www.tobaccofreekids.org/pressoffice/2012/georgetown/coveragereport.pdf>.

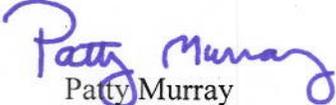
medications for a 90-day treatment regimen” per quit attempt, without cost-sharing or prior authorization, would be in compliance with the ACA requirement.<sup>2</sup>

Unfortunately, the American Lung Association recently found that, even after issuance of the guidance, the publicly available formularies of seven of the ten insurance carriers offering individual market Qualified Health Plans on Washington’s insurance exchange, *Washington Healthplanfinder*, did not clearly show coverage of all seven FDA approved cessation medications without cost-sharing or prior authorization.<sup>3</sup> However, I am pleased that this report found that Molina Healthcare of Washington is providing this information to consumers. Given that nearly 70% of current smokers say they want to quit, your organization’s transparent coverage of these key services takes advantage of key opportunities to save lives.

Today, more than 16 million Americans suffer from diseases caused by smoking, and nearly half a million Americans die prematurely from smoking related illnesses each year.<sup>4</sup> In Washington state alone, tobacco use costs the state more than \$2.8 billion annually in health expenses and an additional \$2.2 billion in related productivity losses.<sup>5</sup> Beyond the deadly health consequences for those who consume tobacco, secondhand smoke contains hundreds of chemicals that lead to health problems in infants and children, including more asthma attacks, respiratory and ear infections, and sudden infant death syndrome. Since 1964, 2.5 million non-smoking adults have died as a result of secondhand smoke.<sup>4</sup>

I commend your efforts to date in implementing the tobacco cessation coverage provisions of the ACA for Washington state and look forward to continuing to work with you on this and other issues.

Sincerely,

  
Patty Murray  
United States Senator

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<sup>2</sup> U.S. Departments of Health and Human Services, Labor and Treasury (2014, May 2). Frequently Asked Questions About Affordable Care Act Implementation. Part XIX, Q5. Retrieved June 10, 2015 from <http://www.dol.gov/ebsa/faqs/faq-aca19.html>.

<sup>3</sup> American Lung Association (2015, March 31). State Health Insurance Marketplace Plans: New Opportunities to Help Smokers Quit. Retrieved June 10, 2015 from <http://www.lung.org/assets/documents/publications/other-reports/state-health-insurance-opportunities.pdf>.

<sup>4</sup> Surgeon General (2014). The Health Consequences of Smoking – 50 Years of Progress: A Report of the Surgeon General. Retrieved June 10, 2015 from <http://www.surgeongeneral.gov/library/reports/50-years-of-progress/fact-sheet.html>.

<sup>5</sup> Campaign for Tobacco-Free Kids (2015, January 8). The Toll of Tobacco in Washington. Retrieved June 10, 2015 from [http://www.tobaccofreekids.org/facts\\_issues/toll\\_us/washington](http://www.tobaccofreekids.org/facts_issues/toll_us/washington).