

Payment Policy | Smoking Cessation Mandate



EFFECTIVE DATE: 1|01|2007

POLICY LAST UPDATED: 06|22|2013

OVERVIEW

This is an administrative policy to document Rhode Island General Laws **(RIGL) 27-20-53¹** Tobacco cessation programs. This law, enacted January 1, 2007, mandates coverage for nicotine replacement therapy and smoking cessation counseling treatment as stated below:

NOTE: Please see the Preventive Services for Commercial Members or the Preventive Services for BlueCHIP for Medicare Members policies for codes that are covered as part of preventive services as defined by Health Care Reform.

PRIOR AUTHORIZATION

Prior Authorization is not required.

POLICY STATEMENT

For All Products:

Smoking cessation treatment is covered for all product lines.

Smoking cessation coverage includes the following:

A required written prescription from a physician for all smoking cessation medications, including over-the-counter nicotine replacement products (e.g., nicotine patch, gum, lozenges).

Nicotine Replacement Products:

- Members are encouraged to contact Customer Service to verify approved nicotine replacement prescription products.
- Nicotine replacement therapy and smoking cessation prescription drugs are not covered when purchased at a mail order pharmacy.

Counseling Services:

- Counseling services may be provided by a physician, Nurse Practitioner, Nurse Midwife, Physician Assistant, as well as a mental health and chemical dependency provider. Counseling services may be provided at a hospital facility.

MEDICAL CRITERIA

None.

BACKGROUND

2010 Amended Tobacco cessation program

(1) Every individual or group health insurance contract, plan or policy delivered, issued for delivery or renewed in this state on or after January 1, 2010, which provides medical coverage that includes coverage for physician services in a physician's

office, and every policy which provides major medical or similar comprehensive-type coverage, shall include coverage for smoking cessation treatment, provided that if such medical coverage does not include prescription drug coverage, such contract, plan or policy shall not be required to include coverage for FDA approved smoking cessation medications.

(2) As used in this section, smoking cessation treatment includes the use of an over-the-counter (OTC) or prescription US Food and Drug Administration (FDA) approved smoking cessation medication when used in accordance with FDA approval, for not more than two (2) courses of medication for up to fourteen (14) weeks each, annually, when recommended and prescribed by a prescriber who holds prescriptive privileges in the state in which they are licensed, and **used in combination with an annual outpatient benefit of sixteen (16) one-half (1/2) hour evidence-based smoking cessation counseling sessions** provided by a qualified practitioner for each covered individual. Smoking cessation treatment may be redefined through regulation promulgated by the health insurance commissioner, in accordance with the most current clinical practice guidelines sponsored by the United States department of health and human services or its component agencies. (See **Special Note** below regarding limits.)

(3) Health insurance contracts, plans, or policies to which this section applies, may impose copayments and/or deductibles for the benefits mandated by this section consistent with the contracts', plans' or policies' copayments and/or deductibles for physician services and medications. Nothing contained in this section shall impact the reimbursement, medical necessity or utilization review, managed care, or case management practices of these health insurance contracts, plans or policies.

(4) This section shall not apply to insurance coverage providing benefits for:

- (a) hospital confinement indemnity;
- (b) disability income;
- (c) accident only;
- (d) long-term care;
- (e) Medicare supplement;
- (f) limited benefit health;
- (g) specified disease indemnity;
- (h) sickness or bodily injury or death by accident or both; and
- (i) other limited benefit policies.

SPECIAL NOTE: The Office of the Health Insurance Commissioner (OHIC)

OHIC redefined, through Regulation 14 - Tobacco Cessation Treatment Coverage, the smoking cessation treatment in regards to RIGL 27-20-53² to be consistent with the current clinical practice guidelines sponsored by the United States Department of Health and Human Services, "Treating Tobacco Use and Dependence: A Clinical Guideline." Consequently, **the limits previously placed on the number of treatment courses and counseling sessions have been removed.**

Smoking cessation treatments include:

- Nicotine replacement therapy, that include the patch, gum, lozenges, and inhalers, and bupropion HCL, can assist by decreasing cravings for nicotine and reducing signs and symptoms of withdrawal.
- Varenicline (Chantix™) is a smoking cessation medication which helps reduce withdrawal symptoms and cravings caused by the loss of nicotine from cigarettes. In addition, it works by blocking the pleasant effects of nicotine (from smoking) in the brain.

COVERAGE

Benefits may vary between groups and contracts. Please refer to the appropriate evidence of coverage, Subscriber Agreement or RIte Care contract for the applicable "Smoking Cessation Programs" and pharmacy benefit coverage.

CODING

Please see the **Preventive Services** policy for coverage information for smoking cessation counseling under the Federal Healthcare Reform: Patient Protection and Affordable Care Act Preventive Health Services.

The following codes are **covered**:

99407, G0437

The following codes are not separately reimbursed:

99406, G0436

NOTE: A evaluation and management visit filed in conjunction with one of the services above requires an -25 modifier.

RELATED POLICIES

Preventive Services for Commercial Members

Preventive Services for BlueCHiP for Medicare Members

PUBLISHED

Provider Update Sep 2013

Provider Update Aug 2012

Provider Update May 2011

Provider Update Jan 2010

Provider Update Feb 2009

Policy Update Dec 2007

Policy Update Dec 2006

REFERENCES

1. Office of the Health Insurance Commissioner (OHIC). Amendment of Regulation14 Tobacco Cessation Treatment Coverage. November 23, 2009. <http://www.ohic.ri.gov/Regulation14Tobacco.php>
2. <http://webserver.rilin.state.ri.us/Statutes/TITLE27/27-20/27-20-53.HTM>

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