



OFFICE OF
INSURANCE COMMISSIONER

August 13, 2014

The Honorable Laurie Jinkins
Washington State House of Representatives
PO Box 40600
Olympia, Washington 98504-0600

Dear Representative Jinkins and colleagues:

Thank you for your recent letter concerning tobacco cessation programs in Washington State. I appreciate hearing your concerns about how these services are being provided to consumers. Consumer and advocacy groups are often our first alert that insurance companies may not be complying with the law.

You referenced federal guidelines regarding tobacco cessation programs and what is required to be offered without cost sharing. We are aware of the recent federal guidance related to tobacco cessation as a preventive service, and we have directed the insurance companies we regulate to comply with this guidance when reviewing their 2015 plans.

In the meantime, my staff is working together with partners at the Washington State Department of Health (DOH) to understand insurance carriers' current compliance with the federal guidance in their 2014 plans. Though staff in our Consumer Protection Division have not received direct complaints from individual consumers about insurance carriers that refuse to cover the cost of tobacco cessation services, DOH has helped us to identify some concerns with particular plans. Company Supervision Division staff will be reviewing insurance company conduct more closely on this issue.

I would also encourage any consumers who are encountering problems accessing coverage for tobacco cessation programs through their insurer to file complaints with my Consumer Protection Division. They can do so online on our website at <http://www.insurance.wa.gov/complaints-and-fraud/file-a-complaint/> or by calling our toll-free Insurance Consumer Hotline – 1-800-562-6900. I would be interested in knowing more specific details about which insurance carriers are not complying and any coverage exclusions or limitations they may be imposing.

You also recommended rulemaking as a possible solution to clarify what is required of insurance carriers. As federal guidance on preventive services continues to roll out, we will review our rules to see whether new rulemaking is necessary or whether the federal guidelines alone are sufficient to enforce compliance.

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I hope I have addressed the concerns you have raised regarding tobacco cessation programs. I agree that tobacco use continues to be a problem in our state and nationwide, and there is still more to be done. I myself have seen the consequences of this addiction firsthand. My father's life was cut short due to smoking, and I have long been an advocate for programs that help people quit.

I look forward to an ongoing discussion on this topic. Thank you again for contacting my office with your concerns and recommendations about this important issue.

Sincerely,



Mike Kreidler
Insurance Commissioner

cc: Heidi Henson and Terry Reid, Tobacco-free Alliance of Pierce County
Hae Man Song, Pierce County Community Connections
Fred Swanson, Gay City Health Project
Terry Lee, PenMet Parks
Patrick Reynolds, Tobacco-free.org – The Foundation for a Smokefree America
Michael Mirra, Tacoma Housing Authority
Helen Nilon, Behavioral Health & Wellness
Dr. Patrick Hogan, Puget Sound Neurology
Dr. Jeffrey Wigand, Smokefree Kids
Tina Johnson, Thurston TOGETHER!
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Shelley Cooper-Ashford, Center for MultiCultural Health
Dr. Abigail Halperin, University of Washington Tobacco Studies Program