

ASBP Participates in Advocacy Day on Feb. 6

A Special Report by Dr. Krishna Doniparthi



Dr. Krishna Doniparthi and Georgeann Mallory

ASBP had its first Advocacy Day on Capitol Hill to expand the interests of its members. The main goal of Advocacy Days is to get legislation that will recognize obesity as chronic disease and allow practitioners to get reimbursed for obesity care. Obesity care encompasses everything from nutritional counseling to care from bariatricians or primary care physicians to bariatric surgery.

ASBP is part of consortium of organizations called Obesity Care Continuum (OCC). OCC has a combined membership of 125,000 health care professionals, researchers, educators, and patient advocates. OCC was established in 2011. The focus of OCC is to get coverage of obesity treatment services under Medicare and Medicaid. An initial step by the Centers for Medicare and Medicaid Services (CMS) may encourage private insurance companies to follow the same guidelines.

The current problem is that CMS and private health insurance companies provide very little coverage. There is some coverage for nutritional counseling for Medicare patients. Bariatric surgery is limited to just five states. This is in light of the National Institute of Health (NIH) declaring obesity as a chronic disease in 1991 and the American Medical Association (AMA) deciding the same in 2013.

OCC is attempting to change the coverage statute so obesity medicine would get the same coverage and benefits as any other chronic condition on both the federal and state level. Current perception is that obesity is a lifestyle issue and not a chronic disease that requires medical and ancillary intervention. Obesity

carries the same stigma that mental health had more than twenty years ago.

Members of ASBP know that obesity is a complex disorder requiring many treatment modalities and a variety of medical approaches beyond diet and exercise to help those who have obesity.

With the collaboration of OCC, ASBP continues to visit Capitol Hill to either get support or re-establish support for a House bill called the Treat and Reduce Obesity Act (TROA). The guiding source of whether certain health benefits are covered or not is delineated in the Essential Health Benefits (EHB) Benchmark Plans. The Department of Health and Human Services (HHS) has the authority to add, delete, or amend EHB plans on medical coverage through the State Health Exchange EHBs. OCC gave HHS Secretary Sylvia Burwell examples of Qualified Health Plans (QHPs) employing discriminatory benefit design language targeting obesity treatment in states that have already declared coverage of bariatric surgery under the State Health Exchange plan. As of today, 22 states chose benchmark plans that cover bariatric surgery, and five states cover weight-loss programs, but 28 states do not cover either bariatric surgery or weight-loss programs.

Dr. Krishna Doniparthi, along with ASBP lobbyist Chris Gallagher and American Society for Metabolic and Bariatric Surgery executive director, Georgeann Mallory, set out to Capitol Hill on Feb. 6 to speak with House and Senate members to gain support for the TROA. Initially, Chris Gallagher attempted to persuade Secretary Burwell to authorize for obesity coverage. Unfortunately, Secretary Burwell indicated that this not under her jurisdiction, though it is. She suggested that this is a state—not a federal—matter. Thus, this it is necessary to get a legislative maneuver through the Congressional House.

In the very first Advocacy Day for ASBP, Dr. Doniparthi met with seven House Representative legislative aides, four from Florida and three from Georgia, and one Senatorial member from Georgia. In previous support for this bill, there was a strong bipartisan support of more than 100 members, with roughly 60 percent Democrats and 40 percent Republicans.

This was the first of several Advocacy Days that ASBP plans to attend. ASBP is hopeful that legislation on the TROA will pass the House and Senate in the coming months. ASBP encourages you and your patients to contact your state representative and senator to support the TROA.