



American College
of Physicians

American Society
of Internal Medicine

August 12, 1999

The Honorable Charles Norwood
U.S. House of Representatives
1707 Longworth House Office Building
Washington, DC 20515

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Dear Representative Norwood:

The American College of Physicians-American Society of Internal Medicine (ACP-ASIM) is the largest medical specialty society in the country, representing 115,000 physicians who specialize in internal medicine and medical students. ACP-ASIM is in a unique position to evaluate patient protection legislation as our members represent the full range of internal medicine practitioners. We believe that any patient protection legislation must be comprehensive and provide patients with the necessary basic rights and protections they need.

ACP-ASIM believes that any effective patient protection legislation must:

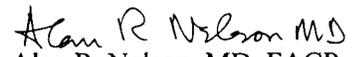
- Apply to all insured Americans, not just those in ERISA plans.
- Require that physicians, rather than health plans, make determinations regarding the medical necessity and appropriateness of treatments. ACP-ASIM supports language that defines medical necessity in terms of generally accepted principles of professional medical practice, as supported by evidence on the effectiveness of different treatments when available.
- Provide enrollees with timely access to a review process with an opportunity for independent review by an independent physician when a service is denied.
- Offer all enrollees in managed care plans a point-of-service option that will enable them to obtain care from physicians outside the health plan's network of participating health professionals, and
- Hold all health plans, including those exempt from state regulation under ERISA, accountable in a court of law for medical decisions that result in death or injury to a patient.

In addition to these protections, we also believe that it is important to address the need to ensure access to affordable health insurance coverage for all Americans. Patient protections are meaningless if patients lack health insurance coverage. ACP-ASIM calls on the Congress to guarantee the most basic right of all Americans – the right to insurance coverage – by crafting legislative solutions that will reduce, with a goal of eventually eliminating, the growing numbers of uninsured citizens.

As the U.S. House of Representatives considers this legislation, ACP-ASIM encourages the continuation of a bipartisan approach. We thank you for sponsoring the Bipartisan Consensus Managed Care Improvement Act, H.R. 2723, containing the key elements needed for effective patient protection and demonstrating the bipartisan support for such legislation in the House. ACP-

ASIM looks forward to the consideration of a comprehensive bill on the floor of the House in September that will be fully capable of providing Americans in managed care and other health plans with needed protections. We stand ready to assist in this effort.

Sincerely,

Handwritten signature of Alan R. Nelson MD in black ink.

Alan R. Nelson, MD, FACP

Associate Executive Vice President