



AFSCME®

American Federation of State, County and Municipal Employees, AFL-CIO

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August 18, 1999

The Honorable John Dingell
U.S. House of Representatives
Washington, DC 20515

Dear Representative Dingell:

On behalf of the 1.3 million members of the American Federation of State, County and Municipal Employees (AFSCME), I am writing to thank you for your leadership in introducing the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723). This compromise legislation provides meaningful reform of managed care with significant and enforceable protections for consumers.

In particular, we are pleased that the bill extends patient protections to all of those who are covered by managed care plans rather than just limited segments of the insured population. Importantly, the bill holds all, rather than just some, plans accountable for treatment denials which result in the injury or death of patients. But the liability shield now enjoyed by self-funded plans is removed in a balanced way, providing that there will be no punitive damages where the plan has followed the recommendation of an external review panel. Further, the bill makes clear that employers cannot be sued unless they intervene in treatment decisions.

Of particular interest to AFSCME members who work in health care, H.R. 2723 includes important protections for physicians and nurses who raise concerns or warnings about the care of patients. Although limited, these protections will allow health care professionals to speak, without fear of reprisal, to appropriate public regulatory agencies, appropriate private accrediting bodies, plan administrators or their employers. The provision protecting patient advocacy will help accomplish the bill's overall goal of improving the quality of care for patients.

In sum, H.R. 2723 would accomplish reform in a meaningful, yet balanced way. We thank you for co-sponsoring this important legislation.

Sincerely,


GERALD W. McENTEE
International President

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