



Evangelical Lutheran Church in America

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Division
for Church
in Society

September 7, 1999

The Honorable Charlie Norwood
United States House of Representatives
Washington, DC 20515

Dear Representative Norwood:

We sincerely appreciate that you and Representative Dingell have come together to introduce the **Bipartisan Consensus Managed Care Improvement Act of 1999 (HR 2723)**. The legislation is a fine compromise which will truly help to ensure that health care consumers will receive the health care they need and deserve. We believe that this legislation will pass the House this year, if members are given an opportunity to vote on the bill.

The protections in HR 2723 are important to all people. When individuals are ill, they are particularly vulnerable and must be able to count on basic patient protections for their peace of mind and their health care needs. Surveys indicate a growing dissatisfaction with the current health care system, and many feel the system is in crisis. It is so important that medical decision-making is placed in the hands of medical experts and not insurance company personnel who never examine or even see the patient. We are not opposed to private industry making a profit, but that profit should never be at the expense of the health and well-being of persons.

We are pleased that this legislation **1)** ensures that patients have the right to appeal to a genuinely independent external reviewer when a health plan denies care; **2)** allows women to have direct access to ob-gyn services from the participating health care professional of her choice; **3)** ensures that doctors and nurses can report quality problems without fear of retaliation from Health Maintenance Organization, insurance companies, and hospitals; **4)** ensures access to specialists, including, when appropriate, specialists outside a plan's network; **5)** ensures access to clinical trials that may save people's lives; **6)** allows parents to choose a pediatrician as their child's primary care provider and ensures access to pediatric specialists; **7)** allows health care professionals to prescribe the best drugs for their patients, even if a drug is not on the plan's predetermined list; **8)** provides for the "prudent lay person" test in accessing emergency care; **9)** provides for the continuity of care for individuals in particular circumstances; and **10)** allows patients to hold their managed care plans accountable when plan decisions to withhold or limit care result in injury or death (The change that disallows the recovery of punitive damages if the plan follows the external review process is a good compromise.).

The Bipartisan Consensus Managed Care Improvement Act of 1999, HR 2723, is good quality legislation that deserves support. Thank you for introducing this critically important legislation.

Sincerely,

Russell O. Siler
Director

Kay A. Bengston
Assistant Director - Domestic Policy