



ARKANSAS MEDICAL SOCIETY

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July 18, 2001

The Honorable John Dingell, Ranking Member
Committee on Energy and Commerce
2322 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Dingell:

The 5000 members of the Arkansas Medical Society urge you to continue your efforts toward passage of the **Ganske-Dingell-Norwood Bill**. It is imperative that patient protections be guaranteed to all Americans enrolled in managed care health plans.

The Ganske-Dingell-Norwood Bipartisan Patient Protection Act of 2001 would:

- Guarantee that "medical necessity" decisions are made by physicians, not health plan bureaucrats.
- Ensure patient access to an independent, timely, and binding external appeals process when he or she has been improperly denied benefits.
- Hold health plans accountable for their decisions, and protect employers who do not make medical treatment decisions.
- Permit patients to seek legal recourse against managed care plans under state law when the plans' negligent medical decisions result in death or injury.
- Give patients the opportunity to choose, at their own added expense, a point of service option in which they would have appropriate access to specialists. Women should be permitted to obtain gynecological/pregnancy care from an ob/gyn and children to obtain pediatric care without a referral.
- Apply a "prudent layperson standard" for determining when a patient may obtain and when a plan must cover emergency medical services.
- Require health plans to provide enrollees with important, basic information about their medical coverage and be prohibited from including gag clauses in their contracts or implementing gag practices under their plan policies.

Also, we support the amended Senate bill, which passed by a margin of 59 to 36 and contains the principles that are paramount for protecting patients from the abuses of managed care plans. Amendments to the Senate bill made it more politically viable and addressed many of the concerns regarding the review process, employer protections, federal and state protections. *The other alternative, the Fletcher-Peterson bill, is inadequate and would compromise the meaningful patient protections passed by the Senate.*

Again, thank you for all of your efforts on behalf of America's patients.

Sincerely,


Joe Stallings, MD
President