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FRIENDS COMMITTEE ON NATIONAL LEGISLATION
... a Quaker lobby in the public interest

22 March 2001

Representative Greg Ganske
U.S. House of Representatives
Washington, DC 20515

Dear Representative Ganske:

re: Patient Protection Act

I am writing on behalf of the Friends Committee on National Legislation (FCNL), a Quaker lobby in the public interest) to express our strong support for the Bipartisan Patient Protection Act of 2001 (HR 526).

FCNL supports a health care system whose primary goal is maintaining and improving the health of the population. In recent years, managed care has taken over as the dominant health care delivery system. The shift to managed care has reflected the belief, particularly within the business community, that managed care does a substantially better job of controlling health care costs than does traditional fee-for-service insurance. Thus, managed care organizations are under strong pressure to keep costs down. In addition, many managed care organizations operate on a for-profit basis which exerts pressures to reduce outlays. These changes in the structure of health care insurance have created an environment in which patients' interests can (and sometimes do) take a back seat. While we are sensitive to the economic issues in health care, we also believe that reform and regulation are necessary in order to ensure that managed care organizations hold the interests of patients as a prime focus.

Following are some of the provisions of HR 526 that are of particular importance to FCNL.

Scope of coverage: We support extending managed care protections to all 167 million people in the U.S. covered by private-sector group health plans, individual health plans, and fully-insured state or local government plans. This would complement the protection already afforded to those in Medicaid and Medicare managed care.

Access to care: We strongly favor efforts to reduce and eliminate bureaucratic obstacles that some patients have faced as they seek access to physicians and needed health care services. For example, we support

- ▶ access to closest emergency room, without prior authorization and without higher costs
- ▶ guaranteed access to needed health care specialists, outside the network, if needed
- ▶ access to pediatric specialists
- ▶ the right of women to directly access ob/gyn care and services
- ▶ access to approved clinical trials for patients with life-threatening or serious illness for which there is no standard effective treatment.

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Ned Stowe: Legislative Secretary
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Protection of Doctor/Patient Relationship: We oppose limitations placed on physicians by HMOs or insurance companies that reduce their ability to treat or communicate with patients. For example, we believe that legislation should

- ▶ prohibit gag clauses that restrict the freedom of health care providers to discuss all treatment options with patients
- ▶ limit financial incentives to withhold care
- ▶ ensure continuity of care so that patients in the middle of long-term treatment plans do not suffer an abrupt transition of care if their physician or other provider is dropped from the plan
- ▶ assure that health care professionals who report deficiencies in the quality of health care services will not experience retaliation by the plan

Accountability: We support the right of patients to timely appeals of health plan decisions and to be able to hold health plans accountable for decisions. Examples of such rights include

- ▶ access to internal and independent external appeals processes that are fair and unbiased
- ▶ a mechanism that holds health plans legally accountable when their decisions harm a patient
- ▶ a mechanism that protects employers who do not make medical decisions from frivolous lawsuits.

FCNL applauds your efforts and the efforts of your colleagues to pass legislation that would provide these and other related protections to patients in managed care plans.

Sincerely,



Florence C. Kimball
Legislative Education Secretary