

**NLWJC - Kagan**

**DPC - Box 028 - Folder 014**

**Health - Employer Mandate**

MEMORANDUM

health - ~~anti~~  
patient bill of rights  
and  
health - employer  
mandate

April 21, 1998

TO: Bruce R., Gene S., Rahm E., Elena K.

FR: Chris J.

RE: Kennedy's Employer Mandate Legislation and Patients' Bill of Rights Update

This memo seeks your guidance on two health care issues that are coming up today (Wednesday): first, is our response to the employer mandate legislation being introduced by Senator Kennedy; and second, is whether we should highlight a new Kaiser study being released estimating that both the President's Quality Commission's and Congressman Norwood's patients' bill of rights would increase health insurance premiums by less than one percent.

**Kennedy Employer Mandate Legislation**

As you know, Senator Kennedy is planning on introducing his health care employer mandate legislation today. Neither Senator Daschle, nor any other member of the Senate, is planning to co-sponsor this legislation. Kennedy's office has requested a letter from the President that would explicitly state or imply that we are supporting this legislation. It has become clear that we cannot draft a letter that both reflects a public position on this bill that we are comfortable with and that would be satisfactory to Senator Kennedy. As a consequence, I am recommending that we do not send a letter.

I have talked to Senator Kennedy's office about this matter, and although they would clearly prefer a supportive letter, they believe that sending a letter that suggests we are not fully supportive is worse than sending no letter at all. In fact, their hope is that our oral responses to inevitable questions about his legislation will sound more positive than a written response. We are preparing Q&As for Mike and others that commend Senator Kennedy for his longstanding commitment to improving access to affordable, quality health insurance and state our willingness to work with him and any one else in the Congress to achieve this goal.

## Patients' Bill of Rights Update

- **Kaiser Foundation Study**

Also this morning, the Kaiser Family Foundation is releasing a new study estimating that the Quality Commission's patients' bill of rights, endorsed by the President, would increase health insurance premiums by less than \$3 per month for a family policy (less than 1 percent). We believe that this report, which validates recent CBO findings, will add further momentum to a legislative solution. Because of the media's high regard for the Kaiser Family Foundation, we believe we should highlight this report through a White House statement to urge Congressional action on this issue. (It is important to note that the study does not provide estimates for the recently introduced Democratic bill. It does, however, provide estimates for the impact of Congressman Norwood's legislation, and although a number of provisions that could increase costs are not included in this analysis, it will be reported as a less than one percent increase as well).

- **Dingell Meeting with Congressman Ganske**

Later this morning, Congressman Ganske is meeting with Congressman Dingell, ostensibly for the purpose of informing him that he has been successful in attracting at least five Republicans to cosponsor the Dingell/Gephardt patients' bill of rights legislation. He is likely to indicate that he may well be able to get more Republican support and will suggest the possibility of a press conference to announce these Republican additions sometime next week. Congressman Dingell will likely request Administration participation at such an event.