

**PRESIDENT CLINTON ENDORSES CONSUMER BILL OF RIGHTS AND CALLS
FOR IMMEDIATE ACTION TO IMPLEMENT
November 20, 1997**

Today, the President endorsed the "consumer bill of rights and responsibilities" recommended by the Advisory Commission on Consumer Protection and Quality in the Health Care Industry. He stressed that the Commission's recommendations provide an excellent framework for long overdue national standards of consumer protection.

In accepting the recommendations, the President: (1) challenged all private health plans to adopt the Commission's consumer bill of rights; (2) called on Congress to pass appropriate Federal protections into law; and (3) directed every federal agency that administers or manages health plans to adopt the protections of the bill of rights and to advise where they need additional legislative authority to do so. The President:

- (1) **CHALLENGED ALL PRIVATE HEALTH PLANS, PROVIDERS, AND HEALTH CARE FACILITIES TO ADOPT THE CONSUMER BILL OF RIGHTS.** To take immediate steps to ensure that all affected stakeholders adopt the Commission's recommendations, the President called on these parties to adopt the bill of rights. A voluntary call for compliance will not ensure that all Americans have access to these rights, but it represents an important first step.
- (2) **CALLED ON ALL PARTIES TO MAKE THESE RIGHTS REAL.** To make these rights real for all Americans, the President called on Congress to pass the appropriate Federal protections into law before the 105th Congress adjourns. Some of these rights can be ensured administratively and some can be ensured through private accreditation, but clearly some will require Federal legislation. The President looks forward to working with the Commission and all other interested parties to work with the Congress in developing the appropriate balance of private, administrative, and legislative approaches. Republicans and Democrats alike have supported legislation providing consumer protections, and the President is optimistic that Congress will enact a measure he can sign into law in 1998.
- (3) **DIRECTED ALL FEDERAL AGENCIES TO COME INTO COMPLIANCE WITH THE BILL OF RIGHTS.** To ensure that the Federal government takes the lead in providing consumer protections, the President directed the Department of Health and Human Services, the Department of Labor, the Department of Defense, the Department of Veteran Affairs, and the Office of Personnel Management to review the programs they administer and the plans they oversee to ensure they are consistent with the bill of rights. He instructed the agencies to exhaust every administrative action to make the programs they administer and the plans they oversee consistent with the bill of rights. He asked them to indicate what statutory limitations impede their ability in this regard. The President directed these agencies to report back to him through the Vice President on the status of this directive by February 1998.

CONSUMER BILL OF RIGHTS AND RESPONSIBILITIES

The Commission's consumer bill of rights consists of the following rights and responsibilities:

- (1) **Access to Accurate, Easily Understood Information** about health plans, facilities, and professionals to assist consumers in making informed health care decisions;
- (2) **Choice of Health Care Providers** that is sufficient to ensure access to appropriate high quality care. This right includes providing consumers with complex or serious medical conditions access to specialists, giving women access to qualified providers to cover routine women's health services, and ensuring continuity of care for consumers who are undergoing a course of treatment for a chronic or disabling condition;
- (3) **Access to Emergency Services** when and where the need arises. This provision requires health plans to cover these services in situations where a "prudent layperson" could reasonably expect that the absence of care could place their health in serious jeopardy;
- (4) **Participation in Treatment Decisions** including requiring providers to disclose any incentives --financial or otherwise --that might influence their decisions, and prohibiting "gag clauses" that restrict health care providers' ability to communicate with and advise patients about medically necessary options;
- (5) **Assurance that Patients are Respected and Not Discriminated Against**, including prohibiting discrimination in the delivery of health care services based on race, gender, ethnicity, mental or physical disability, and sexual orientation;
- (6) **Confidentiality** provisions that ensure that individually identifiable medical information is not disseminated and that provide consumers the right to review, copy, and request amendments to their medical records;
- (7) **Grievance and Appeals Processes** for consumers to resolve their differences with their health plans and health care providers --including an internal and external appeals process; and
- (8) **Consumer Responsibilities** provisions that ask consumers to take responsibility by maximizing healthy habits, becoming involved in health care decisions, carrying out agreed-upon treatment plans, and reporting fraud.

Background on the Commission. The President created the 34-member Advisory Commission on Consumer Protection and Quality in the Health Care Industry on March 26, 1997, charging it with "recommend[ing] such measures as may be necessary to promote and assure quality and value and protect consumers in the health care industry." The Commission is co-chaired by Secretary of Labor Alexis Herman and Secretary of Health and Human Services Donna Shalala. The Commission will submit its final comprehensive report on creating a quality framework to the President, through the Vice President, on March 30, 1998.



NATIONAL
MULTIPLE SCLEROSIS
SOCIETY.

National Public Policy Office
1100 New York Avenue NW
Suite 1015
Washington, DC 20005-3934
Tel 202 408 1500
Fax 202 408 0696

National Headquarters
733 Third Avenue
6th Floor
New York, NY 10017-3288
Tel 212 986 3240
1 800 FIGHT MS
Fax 212 986 7981

November 19, 1997

The Honorable William J. Clinton
President of the United States of America
The White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Dear Mr. President:

The National Multiple Sclerosis Society supports the Consumer Bill of Rights and Responsibilities in Health Care put forth by your Advisory Commission on Consumer Protection and Quality in the Health Care Industry. The Consumer Bill of Rights provides a good framework for basic protections that are essential to improve quality and access and to increase confidence in the health care system. Moreover, the Advisory Commission has made a critical recommendation that rights and protections apply to all consumers.

The National Multiple Sclerosis Society's mission is to end the devastating effects of MS. MS is a chronic disease which often requires a great deal of medical care. More and more people with MS are experiencing problems with accessing quality health care. People with chronic conditions such as MS especially need basic health care rights. Comprehensive consumer protections are necessary and must be adopted through enforceable, federal standards.

Your commitment to the rights as well as responsibilities of health consumers is to be commended. We look forward to your leadership on this matter and to working with you in the effort to win adoption of an effective and enforceable "Consumer Bill of Rights."

Sincerely,

A handwritten signature in cursive script that reads "Susan Banes Harris".

Susan Banes Harris
Washington Representative

cc: Janet Corrigan

November 18, 1997

The Honorable William J. Clinton
President of the United States of America
The White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Dear Mr. President:

Your creation of the Advisory Commission on Consumer Protection and Quality in the Health Care Industry was an important recognition of the need to identify and address quality and access problems in a dramatically changing health care system. Individuals and families increasingly fear they will not be able to get quality care when they need it. Your commitment to finding solutions to those problems is greatly appreciated.

The Advisory Commission's work is an important starting point for future action. Our organizations believe that comprehensive consumer protections are necessary and must be adopted through enforceable, federal standards. The goal of assuring that all health care consumers have access to quality care simply cannot be met without enforceable standards in place.

With the completion of its first stage of work, the Advisory Commission has reached two key conclusions. First, all members of the Advisory Commission, including representatives of the managed care and insurance industry, have recognized that many consumers face significant barriers in obtaining quality care. Second, all members of the Advisory Commission have agreed that basic protections are essential to improve quality and access and to increase confidence in the health care system. The Advisory Commission has made a critical recommendation that rights and protections apply to all consumers.

The Consumer Bill of Rights and Responsibilities in Health Care provides a framework for inclusion of additional protections for health care consumers as well as protections enabling health care providers, professionals and workers to assure quality care. We look forward to your leadership and in working with you in the effort to win adoption of an effective and enforceable consumer bill of rights.

Sincerely,

Academy of Nurse Practitioners
AIDS Action Council
American Academy of Child and Adolescent Psychiatry
American Academy of Neurology
American Academy of Pediatrics
American Academy of Physical Medicine and Rehabilitation
American Association for Psychosocial Rehabilitation

American Association of Children's Residential Centers
American Association of Neurological Surgeons
American Association of Nurse Anesthetists
American Association of Oral and Maxillofacial Surgeons
American Chiropractic Association
American College of Emergency Physicians
American College of Nurse-Midwives
American College of Physicians
American College of Surgeons
American Counseling Association
American Dental Association
American Federation of Home Health Agencies
American Federation of State, County and Municipal Employees
American Federation of Teachers
American Gastroenterological Association
American Lung Association
American Network of Community Options and Resources
American Nurses Association
American Occupational Therapy Association
American Optometric Association
American Osteopathic Association
American Physical Therapy Association
American Podiatric Medical Association
American Psychiatric Association
American Psychoanalytic Association
American Psychological Association
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American Society of Plastic and Reconstructive Surgeons
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Congress of Neurological Surgeons
Consumer Coalition for Quality Health Care
Consumer Federation of America

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Family Service America
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Gay Men's Health Crisis
Home Health Services and Staffing Association
Human Rights Campaign
Joint Committee for Patients in Pain (American Pain Society, American Association
for the Study of Headache, and the American Academy of Pain Medicine)
Justice for All
Legal Action Center
National Abortion and Reproductive Rights Action League
National Academy of Elder Law Attorneys, Inc.
National Association for the Advancement of Orthotics and Prosthetics
National Association for Rural Mental Health
National Association of Alcoholism and Drug Abuse Counselors
National Association of Area Agencies on Aging
National Association of Childbearing Centers
National Association of Children's Hospitals
National Association of Community Health Centers
National Association of People with AIDS
National Association of Protection and Advocacy Systems
National Association of Psychiatric Treatment Centers for Children
National Association of School Psychologists
National Association of Senior Companion Project Directors
National Association of Social Workers
National Black Child Development Institute
National Black Women's Health Project
National Citizen's Coalition for Nursing Home Reform
National Community Pharmacists Association
National Council of Senior Citizens
National Family Planning and Reproductive Health Association
National Farmers Union
National Health Law Program
National Mental Health Association
National Multiple Sclerosis Society
National Organization on Disability
National Osteoporosis Foundation
National Senior Citizens Law Center
National Task Force on AIDS Prevention
National Women's Law Center

Neighbor to Neighbor
NETWORK: A National Catholic Social Justice Lobby
Older Women's League
Opticians Association of America
Pituitary Tumor Network Association
Planned Parenthood Federation of America
Protestant Health Alliance
RESOLVE
Service Employees International Union
Summit Health Coalition
The Arc
The CFIDS Association of America
The Committee for Children
The National Council on Aging, Inc.
Therapeutic Communities of America
United Cerebral Palsy Association
United Church of Christ, Office for Church in Society
United Food and Commercial Workers
Women's Legal Defense Fund



NATIONAL ORGANIZATION ON DISABILITY

910 Sixteenth Street, NW, Washington, DC 20006

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November 19, 1997

President William J. Clinton
The White House
Washington, DC 20500

Dear Mr. President:

The National Organization on Disability (N.O.D.) applauds the work of the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry in establishing the Consumer Bill of Rights and Responsibilities. This is an important first step to ensure basic medical standards in the American health care system.

The Consumer Bill of Rights and Responsibilities will serve to break some of the attitudinal barriers towards persons with disabilities. In particular, the assurance that patients are respected and not discriminated against, and the creation of an internal and external grievance and appeals process address the special needs of individuals with mental and physical disabilities.

The Advisory Commission's finding that rights and protections should apply to all health care consumers is significant for the more than 49 million Americans with disabilities who lag behind other Americans in employment, education, and income. The gaps in levels of employment between Americans with and without disabilities means gaps in access to high-quality specialists and health care.

N.O.D. commends the President for creating the Advisory Commission on Consumer Protection and Quality in the Health Care Industry and congratulates the Commission which worked so diligently and quickly to complete this important document.

Sincerely yours,

Alan A. Reich
President



NATIONAL
ASSOCIATION
OF PUBLIC
HOSPITALS &
HEALTH
SYSTEMS

November 19, 1997

The Honorable William J. Clinton
President
The White House
Washington, DC 205000

Dear Mr. President:

The National Association of Public Hospitals & Health Systems (NAPH) congratulates you on the work of your Advisory Commission on Consumer Protection and Quality in the Health Care Industry. NAPH represents over 100 public and safety-net metropolitan hospitals. As patient- and community-focused health care providers, NAPH members recognize the need for unifying standards to protect consumers and enhance quality for all those involved in the health care system.

The creation of the President's Advisory Commission on Consumer Protections and Quality in the Health Care Industry exemplifies, once again, your long-term commitment to improving the quality of health care for all citizens. The Commission's "Consumer Bill of Rights and Responsibilities in Health Care" is a critical first step in ensuring the right of all citizens to quality health care. Voluntary compliance, however, is not sufficient; federal standards are necessary to enforce the Consumer Bill of Rights.

NAPH thanks you for your leadership on this important issue. We look forward to working with you in the future to ensure quality health care for all citizens.

Sincerely,

A handwritten signature in cursive script that reads "Larry S. Gage".

Larry S. Gage
President

N A P H

1212 NEW YORK AVENUE, NW

SUITE 800

WASHINGTON, DC 20005

202-408-0223

FAX 202-408-0235

naph@naph.org

<http://www.naph.org>



November 19, 1997

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18th
ANNUAL CONVENTION
July 15 - 19, 1998
WASHINGTON, DC

The Honorable William Jefferson Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20001

Dear Mr. President,

NAMI commends the Advisory Commission on Consumer Protection and Quality in the Health Care Industry for the significant progress reflected in the Bill of Rights. Many of the individual rights included closely mirror consumer protections that NAMI has long fought for. The guarantee of participation in treatment decisions is especially important to consumers suffering from brain disorders, and their families.

Choice of health providers, including access to specialists for serious medical conditions and continuity of care for chronic or disabling conditions, is a priority principle for NAMI. So are the access to emergency services, the external appeals process, the confidentiality measures, and the access to accurate and easily understood information.

We are pleased that the anti-discrimination provision specifically mentions mental disability. However, it falls short of equity in treatment of serious brain disorders when it qualifies anti-discrimination with the limiting condition "consistent with the benefits covered in their policy."

The President's charge to the Commission that it operate on a consensus model gives great weight to individual rights. While the consensus approach may have militated against the inclusion of other salient protections NAMI believes strongly are needed, the items that are present have the solid support of all the interests encompassed within the 34-member Commission. In most instances, these rights are an advance over current law or at minimum a much clearer statement of its spirit.

We are grateful to the President and the Commission members and staff who have worked so assiduously to hammer out this agreement. We look forward to working with the Commission and the White House in furthering these objectives and seeing them implemented effectively in the treatment systems that serve our loved ones.

We believe that the Bill of Rights is a very good first step. Ongoing work is needed to assure quality and accountability for the nation's most vulnerable citizens.

Sincerely,

Laurie M. Flynn,
Executive Director

NATIONAL ALLIANCE FOR THE MENTALLY ILL
200 N. GLEBE RD., SUITE 1015 • ARLINGTON, VA 22203-3754
703-524-7600 • FAX 703-524-9094



NASW

National Association of Social Workers



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GENERAL COUNSEL

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November 19, 1997

President William J. Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, D. C. 20500

Dear President Clinton:

On behalf of the National Association of Social Workers (NASW) and our 155,000 members, I am writing in support of your initiative to advance consumer protection and quality health care through the work of the 34-member Advisory Commission on Consumer Protection and Quality in the Health Care Industry. Social workers are very aware of the need for reform within the health care system. We applaud your efforts to ensure access to high quality health and mental care services. Efforts to protect patients' rights to choose providers from among specialists is essential for the appropriate course of treatment and to maximize the benefit of each health care dollar. In addition, safeguards are important to protect medical information confidentiality, and non-discrimination in the delivery of services.

Again, we support your leadership in bringing together experts to guide the development of a comprehensive framework for consumer protection in health care.

We look forward to working with you on this initiative.

Sincerely,

Josephine Nieves, MSW, PhD
Executive Director

November 19, 1997

The Honorable William Jefferson Clinton
The White House
Washington, DC 20500

Dear President Clinton:

The American Nurses Association applauds your continued dedication in pursuit of quality health care for all. Health care consumers and providers are continually challenged by the impact of new systems for organizing and financing health care services. In this environment, it is essential for the Federal government to continue its traditional role as patient advocate by supporting public policies that protect consumers, enhance accountability for quality care, and promote access to the full range of health care services.

Your leadership in this area has been demonstrated by the establishment of the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry and its work in defining principles of quality health care. Nursing has long advocated for a Federal role in preserving the safety and quality of care for all patients and consumers. We commend your strong commitment to these important issues and support your efforts to achieving these goals.

Sincerely,



Geri Marullo, MSN, RN
Executive Director

National Association of
Children's Hospitals

LAWRENCE A. McANDREWS, FACHE
President & Chief Executive Officer



N · A · C · H

November 19, 1997

The President
The White House
1600 Pennsylvania Ave., N.W.
Washington, DC 20500

Dear Mr. President:

The National Association of Children's Hospitals (N.A.C.H.) and its sister organization, the National Association of Children's Hospitals and Related Institutions (NACHRI), applaud your leadership in convening the Advisory Commission on Consumer Protection and Quality in the Health Care Industry. The work of the Commission is important to setting the stage for new public and private sector efforts to improve the quality of health care delivery to all Americans, including our nation's most valuable resource - our children.

With the Commission's approval of a Consumer Bill of Rights and Responsibilities this week, we look forward to working with Commission members as they develop a final, comprehensive report for next spring, which we hope will also address the unique health care needs of children.

We also look forward to seeing this effort proceed to congressional debate and action, which will make health care quality improvement and consumer protections enforceable priorities. Both public and private sectors should be accountable for the fulfillment of such priorities.

We stand ready to work with you and your administration to help ensure the improvement of health care quality and the protection of health care consumers. We also commend your continuing personal contributions and commitment to the health of our nation's children.

Sincerely,

Lawrence A. McAndrews

 American College of
Emergency Physicians[®]

Washington Office
1111 19th Street, N.W., Suite 650
Washington, D.C. 20036-3603

November 19, 1997

The Honorable William J. Clinton
President
The White House
Washington, DC 20500

Dear Mr. President:

The American College of Emergency Physicians (ACEP), representing more than 19,600 emergency physicians, applauds you for your leadership in creating the Advisory Commission on Consumer Protection and Quality in the Health Care Industry and for championing the development of the National Health Care Consumer Bill of Rights. These consumer rights should serve as the basis for establishing uniform consumer protection standards to protect patients enrolled in managed care plans, increase consumer confidence in the health care system, and improve overall quality of and access to care.

In particular, ACEP is pleased that the Health Care Consumer Bill of Rights includes access to emergency services when and where the need arises through the "prudent layperson" standard for emergency care as well as prohibits requirements for prior authorization for emergency medical services. ACEP strongly believes the "prudent layperson" standard should be established as a basic protection for all Americans. Inclusion of this right clearly demonstrates there is a growing national consensus on the part of industry, business, consumers, and health care providers, that patients should not be denied coverage for necessary emergency care based upon their final diagnosis or because they fail to obtain prior authorization from their health insurance plan.

You and the Congress have taken an important first step in making such rights a reality by adopting, as part of the Balanced Budget Act of 1997, a set of consumer protections for Medicare and Medicaid managed care enrollees. These protections included the "prudent layperson" standard and a prohibition on prior authorization. The Commission's endorsement of these specific protections for the coverage of emergency care recognizes that all health care consumers should have these rights. As a final point, the College urges you to support enactment of H.R. 815/S. 356, the "Access to Emergency Medical Services Act," which would give the Commission's recommendations concerning access to emergency care, the force of law. A bipartisan majority of the U.S. House of Representatives now supports this legislation.

Once again, ACEP commends you on your strong leadership in supporting the development of the National Health Care Consumer Bill of Rights and looks forward to working with you to support enactment of these standards as enforceable federal standards protecting all Americans.

Sincerely,



Nancy J. Auer, MD, FACEP
President



American College of Physicians

Independence Mall West, Sixth Street at Race, Philadelphia, PA 19106-1572
Telephone: 215 351 2400 or 800 523 1546 Fax: 215 351 2829
<http://www.acponline.org>

William A. Reynolds, MD, FACP
President

STATEMENT OF THE AMERICAN COLLEGE OF PHYSICIANS

Consumer Bill of Rights on Healthcare

The American College of Physicians (ACP) applauds the President's Advisory Commission on Consumer Protection and Quality in the Healthcare Industry for developing the Consumer Bill of Rights.

The Bill of Rights will provide comfort to patients and their families who are anxious about recent changes in the health care delivery system. Furthermore, it addresses patient concerns that high quality care has been jeopardized. This document provides a mechanism that will allow physicians to deliver to patients the care they require and expect.

The Commission initiated its work in March 1997. The 34-member panel is co-chaired by The Honorable Alexis M. Herman, Secretary of Labor, and The Honorable Donna E. Shalala, Secretary of Health and Human Services. Its members include individuals from a wide variety of backgrounds including consumers, health care providers, business, labor, and state and local governments. ACP representation includes Christine K. Cassel, MD, and Risa J. Lavizzo-Mourey, MD, both members of ACP's Board of Regents.

The Consumer Bill of Rights is an important step toward ensuring quality in the healthcare industry. Consumer protections contained in the document must now be enforced. ACP looks forward to working with Congress and the Clinton Administration to develop appropriate enforcement mechanisms.

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November 19, 1997

CONTACT: Kathleen Haddad, 202-783-1347 or Barbara Katzman, 215-351-2513 or 800-523-1546, ext. 2513

ACP is the nation's largest medical specialty organization. Headquartered in Philadelphia, membership is composed of more than 100,000 internal medicine physicians and medical students. Internists provide the majority of health care to adults in America.

FOR IMMEDIATE RELEASE: Wednesday, November 19, 1997

Consumer, Health Provider, Labor Groups Call For Improved Enforcement of Quality Standards

Letter to President Clinton Cites Fears Over Access to Care

Washington, DC -- A broad coalition of consumer, health provider and labor groups today called for enforceable, federal standards that would ensure the quality of and access to health care, and warned that health care consumers "increasingly fear they will not be able to get quality care when they need it."

The group, acknowledging the work done by the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry in recommending a Health Care Consumer Bill of Rights, called the effort "an important starting point for future action."

But in a letter to President Clinton -- signed by more than 100 organizations, including the American College of Physicians, the National Association of Children's Hospitals, the Older Women's League, the American Federation of State, County and Municipal Employees (AFSCME) and the Women's Legal Defense Fund -- the coalition pointed out that many consumers face barriers to obtaining quality care, and that basic protections are needed to improve quality and access to health care.

According to the coalitions and individual organizations who issued the letter, reasonable and enforceable health care standards are necessary to ensure that consumers have access to quality medical care and treatment options when needed.

The letter stated, "comprehensive consumer protections are necessary and must be adopted through enforceable, federal standards. The goal of assuring that all health care consumers have access to quality care simply cannot be met without enforceable standards in place."

The group called for strengthening the President's Advisory Commission's Consumer Bill of Rights and Responsibilities in Health Care, and said the work done so far had provided "a framework for inclusion of additional protections for health care consumers as well as protections enabling health care providers, professionals and workers to assure quality care." It called on the President and Congress to adopt strong consumer protections into law.

To speak with representatives of the coalition, or for more information on the need for enforceable, federal health care standards please contact the following:

Tony Copelano, AFSCME	202/429-1130
Lauren Asher, Women's Legal Defense Fund	202/986-2600
Jeffrey Crowley, Consortium for Citizens with Disabilities	202/898-0414
M.J. Fingland, American College of Emergency Physicians	202/728-0610
Steven Fisher, AIDS Action	202/986-1300
Kathy Pontzer, American Occupational Therapy Association.....	301/652-6611
Dan Schulder, National Council of Senior Citizens.....	301/578-8839

#



November 19, 1997

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Executive Director

18th
ANNUAL CONVENTION
July 15 - 19, 1998
WASHINGTON, DC

The Honorable William Jefferson Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20001

Dear Mr. President,

NAMI commends the Advisory Commission on Consumer Protection and Quality in the Health Care Industry for the significant progress reflected in the Bill of Rights. Many of the individual rights included closely mirror consumer protections that NAMI has long fought for. The guarantee of participation in treatment decisions is especially important to consumers suffering from brain disorders, and their families.

Choice of health providers, including access to specialists for serious medical conditions and continuity of care for chronic or disabling conditions, is a priority principle for NAMI. So are the access to emergency services, the external appeals process, the confidentiality measures, and the access to accurate and easily understood information.

We are pleased that the anti-discrimination provision specifically mentions mental disability. However, it falls short of equity in treatment of serious brain disorders when it qualifies anti-discrimination with the limiting condition "consistent with the benefits covered in their policy."

The President's charge to the Commission that it operate on a consensus model gives great weight to individual rights. While the consensus approach may have militated against the inclusion of other salient protections NAMI believes strongly are needed, the items that are present have the solid support of all the interests encompassed within the 34-member Commission. In most instances, these rights are an advance over current law or at minimum a much clearer statement of its spirit.

We are grateful to the President and the Commission members and staff who have worked so assiduously to hammer out this agreement. We look forward to working with the Commission and the White House in furthering these objectives and seeing them implemented effectively in the treatment systems that serve our loved ones.

We believe that the Bill of Rights is a very good first step. Ongoing work is needed to assure quality and accountability for the nation's most vulnerable citizens.

Sincerely,

Laurie M. Flynn,
Executive Director

NATIONAL ALLIANCE FOR THE MENTALLY ILL
200 N. GLEBE RD., SUITE 1015 • ARLINGTON, VA 22203-3754
703-524-7600 • FAX 703-524-9094

Selected statements on the Advisory Commission on Consumer Protection and Quality in the Health Care Industry's Consumer Bill of Rights

The Consumer Bill of Rights and Responsibilities in Health Care provides a framework for inclusion of additional protections for health care consumers as well as protections enabling health care providers, professionals and workers to assure quality care.

Individuals and families increasingly fear they will not be able to get quality care when they need it. Your commitment to finding solutions to those problems is greatly appreciated.

We look forward to your leadership and in working with you in the effort to win adoption of an effective and enforceable consumer bill of rights.

(Signed by 118 consumer and provider organizations from across the United States)

We are committed to working with you as these recommendations go forward and are translated into legislation, ensuring that the environment of competitive health markets is preserved even as all consumers of care benefit from these recognized rights and responsibilities.

Washington Business Group on Health

Once again, ACEP commends you on your strong leadership in supporting the development of the National Health Care Consumer Bill of Rights and looks forward to working with you to support enactment of these standards as enforceable federal standards protecting all Americans.

American College of Emergency Physicians

The work of the Commission is important to setting the stage for new public and private sector efforts to improve the quality of health care delivery to all Americans, including our nation's most valuable resource—our children. We also look forward to seeing this effort proceed to congressional debate and action, which will make health care quality improvement and consumer protections enforceable priorities.

National Association of Children's Hospitals

The Commission's **Consumer Bill of Rights and Responsibilities in Health Care** is a critical first step in ensuring the right of all citizens to quality health care. Voluntary compliance, however, is not sufficient; federal standards are necessary to enforce the Consumer Bill of Rights.

National Association of Public Hospitals and Health Systems

We appreciate your leadership in creating the Commission, and we commend you for the consistent leadership and support you have provided in improving America's health care system. We look forward to working with you to make the proposed new rights meaningful, enforceable reality for all Americans.

Families USA Foundation

We believe that the Advisory Commission has taken an important first step in reaffirming the importance of a strong relationship between patients and physicians, and by acknowledging the vital role of accountable, organized systems of care. We look forward to the opportunity to work with you to ensure that consumers can assess their health care options based upon bona fide measures of clinical outcomes and quality of care.

American Medical Group Association

The American Small Business Alliance would like to express its appreciation to you for convening the Advisory Commission on Consumer Protection and Quality in the Health Care Industry. The commission should be applauded not only for recognizing that there are significant problems, but also for laying out a framework of basic protections and responsibilities through the Consumer Bill of Rights. The challenge, as always, will be to implement meaningful change.

American Small Business Alliance

The Consumer Bill of Rights is an important step toward ensuring quality in the health care industry. Consumer protections contained in the document must now be enforced. ACP looks forward to working with Congress and the Clinton Administration to develop appropriate enforcement mechanisms.

American College of Physicians

The patient rights outlined today are fundamental to preserving the sacred bond between patient and physician, and will help restore the public's confidence in the entire health care system. The Bill of Rights released today recognizes that it is only as patient advocates that physicians can be sure patients get the care they need.

American Medical Association

As you receive the recommendations of the Advisory Commission, NAPWA urges you to exert your leadership in fighting for the development of strong, enforceable federal standards that are designed to protect our nation's most vulnerable health care consumers, including people living with HIV.

National Association of People With AIDS

We appreciate your long and steadfast commitment to assuring quality and informed choice for all Americans. As faith-based providers, we are especially grateful for your advocacy on behalf of the poor and vulnerable and look forward to continuing to work with you and the Advisory Commission to assure appropriate standards for managed care.

InterHealth

Development of this Bill of Rights is a vital step in our quest to improve health care quality and to protect and empower consumers. NAHC looks forward to working with you in the future to help implement the recommendations of this important Commission.

National Association for Home Care

The American Public Health Association is delighted to endorse the Consumer Bill of Rights and Responsibilities. We also wish to congratulate you on providing the inspirational leadership for this very worthy effort. The staff and the membership of the American Public Health Association are fully committed to working with you in the effort to assure that the U.S. health care system provides appropriate care of a consistently high quality for all citizens. Once again, Mr. President, we applaud your leadership in this regard.

American Public Health Association

The Association of American Medical Colleges (AAMC) applauds you for creating the Advisory Commission on Consumer Protection and Quality in the Health Care Industry. We congratulate the Commission for developing a ■ Consumer Bill of Rights ■ because it appropriately places the patient first in making health care decisions.

Association of American Medical Colleges

The Commission is moving the debate in the right direction. AARP views the Bill of Rights as a good first step toward assuring that Americans can rely on quality health care no matter what type of plan they use. We look forward to your continued leadership in the effort to win adoption of an effective and enforceable Consumer Bill of Rights.

American Association of Retired Persons

Your vision on this issue is greatly appreciated. Under your leadership, a national discussion of the need for consumer protections and quality care has taken center stage. What results from that discussion will have a lasting impact on the health of our nation's children. We look forward to ensure a healthy future for our children and adolescents.

American Academy of Pediatrics

I applaud your vision in appointing the Advisory Commission and charging them with the task of developing a rational, consumer focused framework for the delivery of health care services through managed care. I believe that the ■ Consumer Bill of Rights and Responsibilities ■ is a strong foundation to ensure and protect the rights of health care consumers. Congratulations on a job well done.

The Children's Health Fund

Your commitment to the rights as well as responsibilities of health consumers is to be commended. We look forward to your leadership on this matter and to working with you in the effort to win adoption of an effective and enforceable ■ Consumer Bill of Rights. ■

National Multiple Sclerosis Society

N.O.D. commends the President for creating the Advisory Commission on Consumer Protection and Quality in the Health Care Industry and congratulates the Commission which worked so diligently and quickly to complete this important document.

National Organization on Disability

The American Nurses Association applauds your continued dedication in pursuit of quality health care for all. Your leadership in this area has been demonstrated by the establishment of the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry and its work in defining principles of quality health care.

American Nurses Association

We applaud your efforts to ensure access to high quality health and mental care services. Again, we support your leadership in bringing together experts to guide the development of a comprehensive framework for consumer protection in health care.

National Association of Social Workers

NAMI commends the Advisory Commission on Consumer Protection and Quality in the Health Care Industry for the significant progress reflected in the Bill of Rights. We are grateful to the President and the Commission members and staff who have worked so assiduously to hammer out this agreement.

National Alliance for the Mentally Ill

Your creation of the Advisory Commission was an important recognition of the need to identify and address quality and access to care concerns in our changing health care system. It is a significant step along the road that will ultimately provide meaningful, nondiscriminatory physical and mental health care to all Americans.

American Psychiatric Association

We applaud the Advisory Commission on Consumer Protection and Quality in the Health Care Industry for recognizing the importance of promoting and improving health care quality in the U.S. Evidence-based decision making and empowering consumers with information about their health care are fundamental elements of quality improvement, as the Commission has recognized today in its ■ Consumer Bill of Rights. ■

The American Health Quality Association

While the CCD Health Task Force sees the work of the Commission as a promising first step towards a consumer-friendly managed care industry.

Consortium for Citizens with Disabilities

...the Commission's recommendation's will represent a significant step forward in improving the quality of health for all Americans and they certainly merit President Clinton's full support.

Mental Health Liaison Group (24 member groups)

...the consumer bill of rights which will be presented to you today challenges the health care system to focus on the many ways that we can improve the quality of health care coverage and services in this country. We join you in commending the members of your advisory commission for working hard to forge a consensus on a wide range of difficult issues.

Association of Private Pension and Welfare Plans

We appreciate the leadership you have demonstrated in charging this Commission with identifying and developing meaningful responses to the critical issues that face all Americans as health care consumers, including those with mental illnesses.

National Association of State Mental Health Program Directors

...the Council of Senior Centers and Services of New York City, Inc. supports the goal of greater consumer protection and rights in the health care industry. We commend you for creating the Advisory Commission on Consumer Protection and Quality in the Health Care Industry.

Council of Senior Centers and Services of New York City, Inc.

NAMI *Statement*

FOR IMMEDIATE RELEASE
November 20, 1997

CONTACT: Valerie Rheinstein
703/516-7963
Mary Rappaport
703/312-7886

PRESIDENT'S MANAGED CARE CONSUMER BILL OF RIGHTS GOOD START, BUT MORE WORK IS NEEDED

*Statement by Laurie M. Flynn, Executive Director
National Alliance for the Mentally Ill (NAMI)*

NAMI views the President's proposed managed care Consumer Bill of Rights and Responsibilities released today as a necessary first step, but believes ongoing work is needed to assure quality and accountability for individuals with severe mental illnesses and their families.

We commend the President and the Advisory Commission on Consumer Protection and Quality in the Health Care Industry for their hard work in hammering out an agreement that closely mirrors many of the individual rights NAMI has fought for historically. For example, choice of health providers, including access to specialists for serious medical conditions, and continuity of care for chronic or disabling conditions have long been top priorities for NAMI's 168,000 consumer and family members.

Today's health care delivery system is rapidly changing, bringing with it an unprecedented shift to managed care in both the private and public sectors. Nowhere is this transformation more profound than in the publicly funded mental health system. We have kept a vigilant eye on managed care providers, and earlier this year released the results of a landmark study that found the industry fell grossly short on its promise to reform the public mental health system.

Our report, "Stand and Deliver: Action Call to a Failing Industry," clearly demonstrated that much of the cost-cutting in managed care is being done at the expense of those most in need of quality care, and who are most at risk for disaster. If the industry is allowed to continue along its current path, managed care in the public sector will have tragic results for people with severe mental illness. The President's Consumer Bill of Rights makes great strides to improve current managed care law, but requires more protections for the millions of Americans suffering from serious brain disorders.

We recommend that any set of national standards also include protections that ensure access to necessary inpatient treatment and assertive community treatment services, newer anti-psychotic medications, consumer and family involvement in decision-making, more effective outcome measurements, and adoption of advanced treatment guidelines for brain disorders such as schizophrenia.

We look forward to continuing our work with the President and the Commission to further these objectives. We believe every American, regardless of their illness, should be guaranteed equal health care protections under the law.

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National Alliance for the Mentally Ill
200 North Glebe Road • Suite 1015 • Arlington, VA 22203-3754
703-524-7600 • Fax 703-524-9094

(Release No. 97-39)

<http://www.nami.org> • NAMI Helpline 1-800-950-NAMI [6264]



National Association of State Mental Health Program Directors

66 Canal Center Plaza, Suite 302, Alexandria VA 22314 (703) 739-9333 Fax (703) 548-9517

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Executive Director
NASMHPD Research Institute, Inc.

November 20, 1997

The Honorable William Jefferson Clinton
President of the United States
The White House
Washington, DC 20500

Dear Mr. President:

The National Association of State Mental Health Program Directors (NASMHPD) is honored to be a participant in this benchmark celebration of your Advisory Commission on Consumer Protection and Quality in the Health Care Industry. We appreciate the leadership you have demonstrated in charging this Commission with identifying and developing meaningful responses to the critical issues that face all Americans as health care consumers, including those with mental illnesses.

The Commission, under your direction, has made an important first step toward addressing such important issues. The consumer rights that have been outlined are both essential and fundamental, and are especially applicable to consumers of mental health services. As the Association representing the commissioners of state mental health agencies in the 55 states and territories, NASMHPD believes firmly in the importance of ensuring access to mental health services on parity with physical illnesses.

NASMHPD supports your efforts on these issues, and I am eager to provide you and the Commission with any assistance necessary to achieve our mutual interests of promoting quality health care while safeguarding consumer rights. Please feel free to call upon me at (703) 739-9333 if I may be of assistance.

Sincerely,

Robert W. Glover, Ph.D.
Executive Director

cc: A. Kathryn Power

Consumer Bill of Rights and Responsibilities

Following is a summary of the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry proposed Consumer Bill of Rights and Responsibilities:

- **Information Disclosure.** Consumers have the right to receive accurate, easily understood information, and some consumers require assistance in making informed health care decisions about their health plans, professionals and facilities. Such information includes:
 - ▶ **Health plans.** Covered benefits, cost-sharing, and procedures for resolving complaints; licensure, certification, and accreditation status; comparable measures of quality and consumer satisfaction; provider network composition; the procedures that govern access to specialists and emergency services; and care management information.
 - ▶ **Health professionals:** Education, board certification and recertification; years of practice; experience performing certain procedures; and comparable measures of quality and consumer satisfaction.
 - ▶ **Health care facilities:** Experience in performing certain procedures and services; accreditation status; comparable measures of quality and worker and consumer satisfaction; and procedures for resolving complaints.
 - ▶ **Consumer Assistance Programs:** Programs must be carefully structured to promote consumer confidence and to work cooperatively with health plans, providers, payers, and regulators. Sponsorship that ensures accountability to the interests of consumers and stable, adequate funding are desirable characteristics of such programs.
- **Choice of Providers and Plans.** Consumers have the right to a choice of health care providers that is sufficient to ensure access to appropriate high-quality health care. To ensure such choice, the Commission recommends the following:
 - ▶ **Provider Network Adequacy.** All health plan networks should provide access to sufficient numbers and types of providers to assure that all covered services will be accessible without unreasonable delay—including access to emergency services 24 hours a day and 7 days a week. If a health plan has an insufficient number or type of providers to provide a covered benefit with the appropriate degree of specialization, the plan should ensure that the consumer obtains the benefit outside the network at no greater cost than if the benefit were obtained from participating providers.

- ▶ **Women's Health Services.** Women should be able to choose a qualified provider offered by a plan—such as gynecologists, certified nurse midwives, and other qualified health care providers—for the provision of covered care necessary to provide routine and preventative women's health care services.
- ▶ **Access to Specialists.** Consumers with complex or serious medical conditions who require frequent specialty care should have direct access to a qualified specialist of their choice within a plan's network of providers. Authorizations, when required, should be for an adequate number of direct access visits under an approved treatment plan.
- ▶ **Transitional Care.** Consumers who are undergoing a course of treatment for a chronic or disabling condition (or who are in the second or third trimester of a pregnancy) at the time they involuntarily change health plans or at a time when a provider is terminated by a plan for other than cause should be able to continue seeing their current specialty providers for up to 90 days (or through completion of postpartum care) to allow for transition of care.
- ▶ **Choice of Health Plans.** Public and private group purchasers should, wherever feasible, offer consumers a choice of high-quality health insurance plans.
- **Access to Emergency Services.** Consumers have the right to access emergency health care services when and where the need arises. Health plans should provide payment when a consumer presents to an emergency department with acute symptoms of sufficient severity—including severe pain—such that a “prudent layperson” could reasonably expect the absence of medical attention to result in placing that consumer's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part.
- **Participation in Treatment Decisions.** Consumers have the right and responsibility to fully participate in all decisions related to their health care. Consumers who are unable to fully participate in treatment decisions have the right to be represented by parents, guardians, family members, or other conservators.

Physicians and other health professionals should:

- ▶ Provide patients with sufficient information and opportunity to decide among treatment options consistent with the informed consent process.
- ▶ Discuss all treatment options with a patient in a culturally competent manner, including the option of no treatment at all.

- ▶ Ensure that persons with disabilities have effective communications with members of the health system in making such decisions.
- ▶ Discuss all current treatments a consumer may be undergoing.
- ▶ Discuss all risks, benefits, and consequences to treatment or nontreatment.
- ▶ Give patients the opportunity to refuse treatment and to express preferences about future treatment decisions.
- ▶ Discuss the use of advance directives—both living wills and durable powers of attorney for health care—with patients and their designated family members.
- ▶ Abide by the decisions made by their patients and/or their designated representatives consistent with the informed consent process.

Health plans, providers, and facilities should:

- ▶ Disclose to consumers factors—such as methods of compensation, ownership of or interest in health care facilities, or matters of conscience—that could influence advice or treatment decisions.
 - ▶ Assure that provider contracts do not contain any so-called “gag clauses” or other contractual mechanisms that restrict health care providers’ ability to communicate with and advise patients about medically necessary treatment options.
 - ▶ Be prohibited from penalizing or seeking retribution against health care professionals or other health workers for advocating on behalf of their patients.
- **Respect and Nondiscrimination.** Consumers have the right to considerate, respectful care from all members of the health care industry at all times and under all circumstances. An environment of mutual respect is essential to maintain a quality health care system. To assure that right, the Commission recommends the following:
 - ▶ Consumers must not be discriminated against in the delivery of health care services consistent with the benefits covered in their policy, or as required by law, based on race, ethnicity, national origin, religion, sex, age, mental or physical disability, sexual orientation, genetic information, or source of payment.
 - ▶ Consumers eligible for coverage under the terms and conditions of a health plan or program, or as required by law, must not be discriminated against in marketing and enrollment practices based on race, ethnicity, national origin, religion, sex, age, mental or physical disability, sexual orientation, genetic information, or source of payment.

- **Confidentiality of Health Information.** Consumers have the right to communicate with health care providers in confidence and to have the confidentiality of their individually identifiable health care information protected. Consumers also have the right to review and copy their own medical records and request amendments to their records.
- **Complaints and Appeals.** Consumers have the right to a fair and efficient process for resolving differences with their health plans, health care providers, and the institutions that serve them, including a rigorous system of internal review and an independent system of external review.
- **Consumer Responsibilities.** In a health care system that protects consumers' rights, it is reasonable to expect and encourage consumers to assume reasonable responsibilities. Greater individual involvement by consumers in their care increases the likelihood of achieving the best outcomes and helps support a quality improvement, cost-conscious environment. Such responsibilities include:
 - ▶ Take responsibility for maximizing healthy habits, such as exercising, not smoking, and eating a healthy diet.
 - ▶ Work collaboratively with health care providers in developing and carrying out agreed-upon treatment plans.
 - ▶ Disclose relevant information and clearly communicate wants and needs.
 - ▶ Use the health plan's internal complaint and appeal processes to address concerns that may arise.
 - ▶ Avoid knowingly spreading disease.
 - ▶ Recognize the reality of risks and limits of the science of medical care and the human fallibility of the health care professional.
 - ▶ Be aware of a health care provider's obligation to be reasonably efficient and equitable in providing care to other patients and the community.
 - ▶ Become knowledgeable about their health plan coverage and health plan options (when available) including all covered benefits, limitations, and exclusions, rules regarding use of network providers, coverage and referral rules, appropriate processes to secure additional information, and the process to appeal coverage decisions.
 - ▶ Show respect for other patients and health workers.

- ▶ Make a good-faith effort to meet financial obligations.
- ▶ Abide by administrative and operational procedures of health plans, health care providers, and Government health benefit programs.
- ▶ Report wrongdoing and fraud to appropriate resources or legal authorities.

Free copies of the full report to the President on the Consumer Bill of Rights and Responsibilities are available on the World Wide Web at the White House Website (www.whitehouse.gov) or from the Commission's Website (www.hcqualitycommission.gov). To obtain a printed copy of the report, call 1/800/732-8200 or write to Consumer Bill of Rights, Box 2429, Columbia, MD 21045-1429.

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American Small Business Alliance

November 20, 1997

The Honorable William J. Clinton
 President
 The White House
 Washington, DC 20500

Dear Mr. President,

The American Small Business Alliance would like to express its appreciation to you for convening the Advisory Commission on Consumer Protection and Quality in the Health Care Industry. The commission should be applauded not only for recognizing that there are significant problems, but also for laying out a framework of basic protections and responsibilities through the Consumer Bill of Rights. The challenge, as always, will be to implement meaningful change.

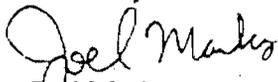
The ASBA believes that accessible, affordable and quality health care are key to making our businesses, our people and our nation stronger and more prosperous. Unfortunately, current trends are taking us further from that goal. Soaring costs are forcing an increasing number of businesses to raise co-pays for their workers or drop coverage altogether, with small businesses being the hardest hit; one million additional Americans a year are falling into the ranks of the uninsured; and those within the system – both consumers and providers – are growing more and more dissatisfied with the quality and delivery of services.

The ASBA has stood out from the other business groups in being a reasoned voice for change. We helped lead the successful fight for portability through the Kennedy-Kassebaum Health Insurance Reform Act. And this summer the ASBA was the primary business organization pushing for KidCare, because we recognize that having a nation of insured children makes sense – both morally and economically.

While we support increased consumer protections, we also want to find ways to level the playing field for small business. Small business is the driving force behind our current economic boom, yet they are forced to pay significantly higher rates than big business. Additionally, entrepreneurs are finding themselves spending more time dealing with the increasingly costly and complex health care system rather than how to best compete in the global marketplace.

Mr. President, the ASBA is committed to working with you in finding sensible solutions that make small business more competitive and improve care and coverage for all Americans. We believe that's what's best for our country and, regardless of what others may say, that's what most small businesses truly want.

Sincerely,


 Joel Marks
 Executive Director

Congress of the United States

Washington, DC 20515

November 20, 1997

The Honorable William J. Clinton
President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500-0006

Dear Mr. President:

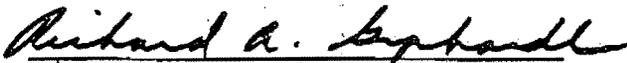
We are writing to commend the work of the Advisory Commission on Consumer Protection and Quality in the Health Care Industry in releasing a report entitled "Consumer Bill of Rights and Responsibilities."

In this report, the Commission endorses a set of important consumer protection standards for health care. These standards include: disclosure of information, access to appropriate specialty care, access to emergency care, confidentiality protections, non-discrimination protections, and the right to an external, independent appeals process.

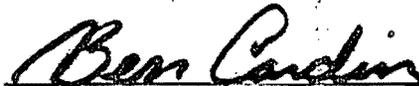
Many members of Congress have authored and/or support federal legislation incorporating similar standards. We are looking forward to working with you in the coming year to enact federal legislation creating an enforceable set of consumer protection standards for health care building upon the standards endorsed by your Advisory Commission.

Again, we congratulate the Commission for coming forth with these important consumer protection standards. And, we look forward to working together on this vital health care issue in the upcoming session of Congress.

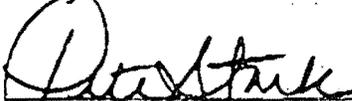
Sincerely,


Richard A. Gephardt


John D. Dingell


Benjamin L. Cardin


Henry A. Waxman


Fortney Pete Stark


Marge Roykema

George Miller

George Miller

Sherrod Brown

Sherrod Brown

Frank Pallone

Frank Pallone

Charles B. Rangel

Charles B. Rangel

Greg Ganske

Greg Ganske

Marion Berry

Marion Berry

Jim McDermott

Jim McDermott



November 20, 1997

REMARKS BY THE PRESIDENT AT CONSUMER BILL OF RIGHTS AND RESPONSIBILITIES CEREMONY

12:11 P.M. EST

Quality Commission File

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

November 20, 1997

REMARKS BY THE PRESIDENT
AT CONSUMER BILL OF RIGHTS AND RESPONSIBILITIES CEREMONY

The Old Executive Office Building

12:11 P.M. EST

THE PRESIDENT: Thank you very much, first of all, Peter, for your outstanding remarks and the power of your example. And I accept your offer to play golf. (Laughter.)

I thank all the commission members and the members of the staff for a truly remarkable piece of work. And I'd like to say a special word of appreciation to Secretary Shalala and Secretary Herman, who cochaired the commission and who, I believe, did a remarkable job. and I thank you very much. (Applause.)

I thank the Vice President for his work in overseeing this effort and for his concern.

This whole health care issue is very personal to me and to our family, to the First Lady. When I was running for President I met person after person after person who had a cost, a quality or an accessibility issue with the health care system. But long before that, as a governor in what my opponents used to call a small southern state, I had the great gift that representing a small population gives you, of knowing a high percentage of the people who hired me -- from all walks of life and all social strata, from all different circumstances.

And I just kept -- I had such ambivalent feelings. I could see in my own state that we had the finest health care system in the world. I saw miracle after miracle after miracle; I saw person after person given a chance to reconstitute his or her life --

and then all these terrible problems arising from the cost or the quality or the accessibility issues.

So we've worked very hard on them. The Vice President mentioned the quality issues. I would also like to say, this has been a very good year across the board for American health care. In the balanced budget bill we have \$24 billion to provide health insurance to another 5 million children, about half of those who don't have health insurance -- something that has become very important because the number of uninsured Americans has continued to rise since 1993. Ironically, even as the percentage of people in the work force eligible to purchase health insurance with the involvement of their employers has gone up because of prices, the coverage has gone down.

We had a significant step in reforming the Medicare program to add many years of life to the trust fund and provide more choices, including preventive care to Medicare recipients and earlier tests for mammographies for younger Medicare-eligible women. We had what the American Diabetes Association called the most significant advance in the care of diabetes since the discovery of insulin 70 years ago in this bill. We will -- in a day or so, I'm going to sign the bill reforming the Food and Drug Administration and its procedures. The FDA, I might point out, has already won an award for its groundbreaking work in accelerating the approval of drugs while continuing to meet safety standards to try to increase the availability of possibly life-saving medication more quickly.

So a lot of good things happen. Yesterday, I signed an adoption bill which was the product of an overwhelming bipartisan consensus in Congress which will revolutionize adoptions, including adoptions of children with special needs, which also will have a terrific health impact on some of the most vulnerable children in this country. So I want you to see this commission's work against that backdrop. There is an emerging consensus in America that while people may not have wanted to bite the whole apple at once in 1994, almost the whole populace wants to keep nibbling away at the apple until we actually have solved the problems of cost, accessibility and quality for all responsible American citizens.

What this commission has done today with their Health Care Consumer Bill of Rights is a truly extraordinary thing -- all the more extraordinary because the commission actually represents all walks of life and all the different financial equities in the health care debate in America. And again, let me say, I thank you very much. We will be much closer to making these rights reality for every American because of the courage of the commission and because of the composition and the broad experience of the different commission members.

Throughout our whole history, our strength has come from our families, from our individual citizens, from our continuing commitment to redefine and expand the parameters of opportunity and freedom, and at the same time, to do it in a way that brought us closer together as a society instead of dividing us further. Those values were in America's Bill of Rights, and they are certainly in this Health Care Consumer Bill of Rights.

Today, our families face so much change and, of course, the changes in the way we work, the way we live, the way we relate to each other and the rest of the world are quite profound. I think, in a major way the mission of our administration here must be to try to help America prepare for these changes so that we can expand the opportunities they present and adequately meet the challenges they

present, and so that we can go forward together.

Health care is changing dramatically, as we all know. The Vice President detailed some of those things. And we have worked hard to help people deal with these changes. Now, there are still particular problems that plainly require specific solutions. Millions of Americans have seen their health plans convert to HMOs and new kinds of health insurance. In many cases, managed care does bring lower costs and improved preventive care, and the health care industry, I believe, as a whole truly shares our goals of improving quality. And I have never been one who believed that improving efficiency involved the sacrifice of quality and, often, not even a sacrifice of quantity.

Our administration has reduced the size of the federal government by 300,000, eliminated a few hundred programs and several thousand pieces of legislation, and I have yet to have a single American citizen come up to me and say, why did you get rid of this or that. So we believe that you can have efficiency and improve quality and often improve the sheer volume of service, as well. That's one of the things that technology makes it possible for us to do.

Still, I think it's fair to say that almost every family feels some insecurity at the scope and pace of change in the world, including the scope and pace of change in the health care industry. And very often people feel actually lost because they have come up against this change in a way that is, to be charitable, not positive.

There are so many people in this country that because of these changes feel like they're always going to be on the losing end of cost-cutting and quality issues in every sector of life, maybe even where they work, and they certainly are most frightened of it when it comes to health care -- even more frightened than when it comes to their own job, I think, because with the unemployment rate being low and real flexibility in American labor markets, Americans have proved that they are incredibly resilient at getting new jobs, and increasingly, those new jobs are as good or better than the ones they lost -- something that was not true just a few years ago. But when it comes to health care, you can't be sure of that kind of recovery, and no matter how much confidence you have in your own resilience, somebody else has got to help you.

So even if we are trying to give Americans more job security in a changing environment by keeping unemployment low and intensifying our efforts to help people if they do lose their jobs to get better skills and find a job that is as good or better, we have got to recognize that the elemental insecurity that a loss of confidence in the quality, the accessibility or the affordability of health care can breed in our society is staggering.

The flip side of that is that if we can address those concerns, they increased confidence people have in the stability of the society as it affects their family and their lives will make them immeasurably more able to deal with the challenges of technology and globalization and change that no one can repeal.

So I don't think it is possible to minimize the peripheral impacts, positive impacts of having the right kind of consumer bill of rights in health care -- and how much it will do to the sense of stability people feel on the job; how much it will do to increase employee productivity when they're not worried about their husband or their wife who got cancer three years ago, or if they're

not worried about what's going to happen if their kid is in a car accident, like Peter was. If they know that at least they're going to have the best chance they can get it will have a terrific impact to stabilize and sort of harmonize our society in ways that I think will be immensely positive for the economy. And, obviously, the business leaders on this commission agree.

Now, consider the consumer protection issue in the larger context. Today, Americans receive consumer protection when they purchase cars, use credit cards, buy toys for their children. All this commission is recommending is that we extend that kind of protection when a person visits a doctor, checks into a hospital or buys into a health plan. Whether it's traditional health care or managed care, we have to make sure it's not inferior care. There are basic standards that I believe every American should be able to count on wherever they live, whatever their needs. Those standards ought to be the right of every citizen.

Here is what the Health Care Consumer Bill of Rights says: You have the right to be informed about your health plan in plain English. You have the right to choose the right doctor for the right type of care; the right to medical services in an emergency wherever and whenever the emergency arises; the right to know all your medical options, no matter how much they cost; the right to respectful care and equal treatment at every health care facility by every health care provider; the right to know your medical records are confidential and only used for legitimate purposes; the right to express your concerns about the quality of care you receive and to take action when that care is inadequate.

This Consumer Bill of Rights, as has already been said, is the product of a broad consensus from a broad group of business leaders and health insurers, working people and health advocates, doctors and nurses. There are still those who oppose it and that is their right. But this is a case where the national interest must prevail over the narrow interest, where the family's interest must prevail over the fear of change.

I ask those who are afraid, on the other side, to balance in their equation the fear that has been in the hearts of all the Americans who have confronted the health care system without this Consumer Bill of Rights. We all have to bear our fair share of the uncertainty of change if we are all going to feel secure in the face of the future. And that seems to me to be the best argument that we can take to those who do not yet agree that this is the right thing to do.

★ These protections, in fact, are long overdue, and now we have to act to make them real for all Americans. Some will require federal standards to be implemented. Where they do, I challenge Congress to make them the law of the land. There will be no more important tests in the coming months of our commitment to strengthen our families. And I look forward to working with Congress.

You heard the Vice President say there's broad bipartisan support for moving forward here. But we shouldn't wait for Congress to act, especially when it's not necessary. So today I am acting within my power as President to implement the rights to the extent that I legally can. I'm directing every federal agency that administers or manages health plans to adopt the protections of the Consumer Bill of Rights, and to report back to the Vice President about where they need legislation to do so. With this step we can ensure better quality health care for tens of millions of Americans, including all Medicare and Medicaid beneficiaries, and all federal employees. And I challenge all private health plans to adopt the

Consumer Bill of Rights voluntarily, to give their members greater confidence and security.

In that connection, I want to thank GTE and one of our commission members, an officer of GTE, Randy McDonald. They are the first large company to guarantee the Consumer Bill of Rights to all the 400,000 people on their health plan, employees and their family members. It's an extraordinary step. And if they can do it, others can follow. I don't know if Randy is here today, but if he is, will you stand up? Thank you very much. God bless you. (Applause.)

Finally, it would be wrong for us to end this without acknowledging that there can be no rights without responsibilities; that our community can only go forward when there is a corresponding responsibility for every opportunity and every right.

The new world of health care offers greater choice and more fundamental opportunities for health than ever before. And today, we outlined the rights that every American should have in dealing with that health care system. But every American also has an enhanced obligation to take an active role in his or her own health care and to take responsibility for his or her own health. We spend a lot of money in this country every year that we wouldn't spend if we'd just go through the day in a sensible way every day. And we have to acknowledge that, and we cannot blame the health insurance industry or the health care providers or anybody else in the wide world for the burdens we impose on ourselves for the extra cost, the lower income, the reduced productivity that are the direct result of daily choices made by individual citizens that they do not have to make in the way they live their lives, and we ought to be honest about that.

And we should never point the finger at other people when we have problems until we have first examined ourselves and what we have to do. And I know a lot of companies are looking at ways to reward responsible behavior and ask that some payment be made for

that behavior that imposes costs on society as a whole. That's a large part of what we're attempting to do in settling this issue of the marketing and selling of tobacco to young people in America in ways that violate our laws. So I think that has to be a part of this; we can never lose sight of it.

When President Kennedy proposed a Consumer Bill of Rights over 30 years ago, he said, "Under our economic as well as our political form of democracy, we share an obligation to protect the common interest in every decision we make." I am convinced, as I have said repeatedly, that the coming years will be a time of remarkable breakthroughs in science and medicine, remarkable breakthroughs in the space and in the ocean, remarkable breakthroughs in the structure of human genes. There will also be a time of remarkable opportunity to relate to other people around the world, economically and culturally. They can be, this next 50 years, the best half-century human society has ever known. But we have to look after the common interest. No matter how individualized our computers, our telephones, our fax machines, our self-employment -- no matter what happens, we will still have to protect the common interest is we want to have safe streets, good education, good health care, a clean environment and a healthy economy.

Today, by standing up for individual rights, this commission has advanced the common interest, and America will be much better for it.

Thank you very much. (Applause.)

END

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Health Rights, 700

Clinton, insurers face off on health standards for consumers

WASHINGTON (AP) President Clinton asked Congress Thursday for detailed protections to help people wrangling with health insurers one nibble, he said, at a problem his administration nearly choked on three years ago.

The health insurance industry balked, saying any more federal regulation would drive up premiums and push people out of coverage. "Americans receive consumer protection when they purchase cars, use credit cards, buy toys for their children," Clinton said in endorsing proposals from a 34-member advisory commission.

"All this commission is recommending is that we extend that kind of protection when a person visits a doctor, checks into a hospital or buys into a health plan."

Administration officials said the proposals a "bill of rights" for patients would be implemented through the accreditation process, voluntary compliance or, where necessary, by legislation.

For example, a federal privacy law should be enacted to protect health records, said Donna Shalala, secretary of Health and Human Services. "Right now, there are more protections on your Blockbuster card and motor vehicle license than your health care records," she said.

But the Health Insurance Association of America said consumer protections should be left to the private sector. The association, along with the U.S. Chamber of Commerce, the Blue Cross Blue Shield Association and others, pledged to oppose any effort to legislate patient rights.

"Federal regulation would stifle the innovation that currently goes on, and we must make sure that people have access to coverage, not impediments to it," said Richard Coorsh, HIAA spokesman.

Citing a Congressional Budget Office analysis, Coorsh said that for every 1-percent increase in insurance costs, an estimated 200,000 people lose coverage because small businesses are priced out of the system.

Replied Vice President Al Gore: "If any special interests want to make this a war, it's one we're proud to fight on behalf of America's families."

Under the Clinton plan, patients would be guaranteed the right to:

Appeal denials of care to an outside panel.

Receive information about health providers, including any financial incentives that might influence their decisions.

Have a "sufficient" choice of doctors.

Have an emergency room visit paid for if a reasonable person would have concluded that health was in jeopardy even if it, turned out nothing was wrong.

Direct access to specialists for patients with serious conditions, and for women, to gynecologists.

Clinton, who was singled in his first term when his proposal to overhaul health care was roundly rejected, acknowledged that this initiative takes a more graduated tack.

"While people may not have wanted to bite the whole apple at once in 1994, almost the whole populace wants to keep nibbling away at the apple until we actually have solved the problems of cost, accessibility and quality for all responsible American citizens,"

he said.

Three out of four people who get health insurance from an employer are now enrolled in health maintenance organizations or other managed care plans that keep costs low by promoting preventive care and removing financial incentives to provide unnecessary services.

But they also imposed new restrictions on patients' access to doctors and services a situation, Clinton said, that left patients afraid and insecure in seeking care.

"Whether it's traditional health care or managed care, we have to make sure it's not inferior care," Clinton said. "This is a case where the national interest must prevail over the narrow interest; where the family's interests must prevail over the fear of change."

He ordered all federal agencies that administer health programs, including Medicare, Medicaid, veterans' benefits and insurance for federal workers, to conform their plans to the new "bill of rights" and report back to him by February on what legislative changes may be needed.

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Health Rights, 1st Ld-Writethru, a0442,650
Clinton set to endorse medical 'bill of rights' for patients

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By LAURA MECKLER-

Associated Press Writer-

WASHINGTON (AP) President Clinton called on Congress today to implement a consumer 'bill of rights' that promises new protections to help patients navigate a changing health-care system of tighter cost controls and less doctor choice.

In the meantime, he asked the private sector to guarantee the protections voluntarily.

'This is a case where the national interest must prevail over the narrow interest, where the families' interest must prevail over the fear of change,' Clinton said.

Clinton today gave his full endorsement to recommendations of a commission he appointed last spring, which nearly unanimously approved a set of rights Wednesday that attempts to balance patient frustrations with the cost of providing new protections.

Among the recommendations were the right for patients to:

Appeal denials of care to an outside panel.

Receive a wealth of information about health providers.

Have a reasonably large choice of doctors.

Have an emergency room visit paid for if a reasonable person would have concluded that health was in jeopardy even if it turned out nothing was wrong.

Direct access to specialists for patients with serious conditions, and direct access to gynecologists for women.

Have health records used only for health purposes, with a few exceptions.

Clinton asked those who were reluctant to extend extra consumer protections to weigh their fear against the fear 'in the hearts of all Americans who have confronted the health care system without this.'

The president also called on all federal agencies to implement the recommendations in federal health programs. He also urged Congress to pass legislation by the end of 1998.

Three out of four people who get their health insurance from an employer are now enrolled in health maintenance organizations or other managed care plans, a dramatic increase spurred by employer efforts to control costs.

Managed care has helped control costs by promoting preventive care and removing financial incentives to provide additional, unnecessary services. But it also has imposed new restrictions on patients' access to doctors and services.

As for federal programs, Clinton was directing all federal agencies that administer health programs, including Medicare, Medicaid, veterans' benefits and insurance for federal workers, to report to him on the status of those plans' compliance with the recommendations.

The president also was directing departments to do what they can administratively to come into compliance, and to report back to him by February as to what legislative changes may be needed.

On Wednesday, all but one member of the presidential advisory committee agreed to the recommendations.

The 34-member commission, which included consumer advocates, academics, insurance representatives and business executives,

struggled to reach consensus on what should be a "right," what should be a less-specific goal and what should be left out of the document altogether.

For instance, the commission declined to say patients have a "right" to participate in clinical trials for experimental drugs or therapies or to buy health insurance if they are already sick. Managed care companies, in particular, have refused to pay for treatment that is part of an experimental program.

The commission took no position as to how the rights should be implemented, but the report has been anticipated on Capitol Hill, where several legislators are working on their own plans. Action in Congress is expected next year.

A variety of interest groups, including the U.S. Chamber of Commerce and the ~~Blue Cross-Blue Shield Association~~, immediately said they would oppose any effort to turn the bill of rights into legislation. The American Medical Association applauded the commission's efforts.

Rep. Bill Archer, chairman of the House Ways and Means Committee, said he was not eager to legislate any of these rights.

"Washington's willingness to solve everyone's problems has often led to unintended, costly consequences," Archer, R-Texas, said in a statement.

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^BC-HEALTH-REFORM (SCHEDULED)^

^Clinton endorses health care 'bill of rights'^

By Deborah Zabarenko

WASHINGTON (Reuters) - President Clinton endorsed a health care "bill of rights" for American consumers Thursday, defending it against opponents who view the plan as the first step toward government-run medicine.

"There are still those who oppose it, and that is their right," Clinton said at a White House ceremony in which he formally accepted the plan. "But this is a case where the national interest must prevail over the narrow interest, where the family's interest must prevail over the fear of change."

Vice President Al Gore was more blunt in his remarks at the same forum: "If any special interests want to make this a war, it's one that we're proud to fight on behalf of America's families."

The health reform plan, modest in scope when compared with the Clinton administration's failed effort to reform health care in 1993-94, would, among other things:

- guarantee consumers' right to be informed about health care plans in plain language

- require health care plans to pay for emergency room visits if a "prudent layperson" would reasonably feel at risk of permanent injury without immediate care

- allow patients to appeal any denials of coverage to a review board

- give patients direct access to specialists

- require health plans to give information about their physicians, including how many times they have performed certain procedures, whether they have been sued for malpractice and how they are paid.

The plan is aimed at middle-class consumers who already have health care coverage, and Clinton promoted it in that light.

"Today, Americans receive consumer protection when they purchase cars, use credit cards, buy toys for their children," he said. "All this commission is recommending is that we extend that kind of protection when a person visits a doctor, checks into a hospital or buys a new health plan."

He also said it was likely to "stabilize" and "harmonize" U.S. society in general if consumers had more confidence in the cost, quality and accessibility of health care.

But Rep. Bill Thomas, a California Republican who chairs a health care panel of the House Ways and Means Committee, said the plan was at odds with the original Bill of Rights, contained in the U.S. Constitution.

"Wisely, the original Bill of Rights restricted the power of the federal government, but today's proposal extends the reach of federal power directly into people's doctor/patient relationships," Thomas said in a statement.

John Sweeney, president of the giant AFL-CIO labor federation, gave the plan qualified support, calling it a "common sense set of answers" to health care problems, while saying that more might be done to serve workers' needs.

Gail Shearer, a health care analyst with Consumers Union, which lobbies Congress on behalf of consumers, praised the administration plan as introducing "a new sense of fairness in the marketplace" of health care.

"This is not about the government running health care," Shearer said in a telephone interview. "This is about making private companies accountable to somebody other than their shareholders ... it would mean that an HMO (health maintenance organization) would no longer be the judge and jury when it came to treatment decisions."

Some 67 million Americans now participate in HMOs, and millions more have other forms of managed care.

Shearer noted, however, that the plan is not yet law, and that in any event it does nothing for the more than 41 million Americans who have no health care coverage. Tens of millions more are under-insured or lack coverage for part of each year, she said.

Conservative Republicans in Congress have derided the administration plan as "Clinton Care 2," a reference to the failed initiative of 1993-94.

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**ADVISORY COMMISSION ON CONSUMER PROTECTION
AND QUALITY IN THE HEALTH CARE INDUSTRY**

November 20, 1997

**Contact: Chip Malin or
 Richard Sorian
 (202) 205-3333**

**President's Advisory Commission Releases
Consumer Bill of Rights and Responsibilities**

A Presidential Advisory Commission today released a proposed Consumer Bill of Rights and Responsibilities in health care. In a report to President Clinton, the Commission said, "American consumers and their families are experiencing an historic transition of the U.S. system of health care financing and delivery."

The Commission states that a Consumer Bill of Rights and Responsibilities "can help to establish a stronger relationship of trust among consumers, health care professionals, health care institutions, and health plans by helping to sort out the responsibilities of each of these participants in a system that promotes quality improvement."

The Consumer Bill of Rights has three goals:

- ◆ To strengthen consumer confidence by assuring the health care system is fair and responsive to consumers' needs, provides consumers with credible and effective mechanisms to address their concerns, and encourages consumers to take an active role in improving and assuring their health.
- ◆ To reaffirm the importance of a strong relationship between patients and their health care professionals.
- ◆ To reaffirm the critical role consumers play in safeguarding their own health by establishing both rights and responsibilities for all participants in improving health status.

President Clinton created the Advisory Commission on Consumer Protection and Quality in the Health Care Industry on March 26, 1997, and charged it with "recommend[ing] such measures as may be necessary to promote and assure health care quality and value and protect consumers and workers in the health care system." As part of that charge, the President asked the Commission to develop a "Consumer Bill of Rights" in health care.

- more -

Co-Chaired by Secretary of Labor Alexis M. Herman and Secretary of Health and Human Services Donna E. Shalala, the Commission has 34 members, including broad-based representation from consumers, businesses, labor, health care providers, health plans, and health care quality and financing experts. Commission members have vast expertise on a wide range of health issues, including the special challenges facing rural and urban communities, children, women, older Americans, minorities, and people living with mental and physical disabilities.

In developing the Consumer Bill of Rights and Responsibilities, the Commission established a Subcommittee on Consumer Rights, Protections, and Responsibilities, which held a series of six public hearings in Washington, D.C., Burlington, Vermont, and Chicago, Illinois. The Subcommittee and the Commission heard public testimony from nearly three dozen expert witnesses and considered consumer protection proposals by nearly two dozen national and regional organizations.

The Commission also is working on a final, comprehensive report on creating a quality improvement framework for the health care industry. That report is due to President Clinton by March 30, 1998.

Free copies of the Consumer Bill of Rights and Responsibilities are available on the World Wide Web at the White House Website (www.whitehouse.gov) or from the Commission's Website (www.hcqualitycommission.gov). To obtain a printed copy of the report, call 1/800/732-8200 or write to Consumer Bill of Rights, Box 2429, Columbia, MD 21045-1429.

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**National
Mental
Health
Association**

1021 Prince Street, Alexandria, VA 22314-2971 • Phone (703) 684-7722 • Fax (703) 684-5968 • TTY (800) 433-5959 • www.nmha.org
Robert Klepfer, Jr., Chair of the Board • Michael M. Faenza, President and CEO

November 20, 1997

President William J. Clinton
The White House
1600 Pennsylvania Ave., NW
Washington, D.C. 20500

Dear Mr. President:

On behalf of the National Mental Health Association (NMHA), which represents over 330 affiliates in 38 states, I am writing to express our support for the Consumer Bill of Rights recently issued by the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry. In general, the safeguards agreed to by Commission members from all aspects of the health care world – including consumers, payors, insurance companies, health plans and providers – will substantially improve the efficacy and quality of health services received by all Americans.

In particular, NMHA is extremely pleased that the Commission is proposing independent external reviews of instances in which consumers are denied medically necessary health services, or have ongoing care arbitrarily terminated or curtailed. Unfortunately, we are aware of too many cases (in both the public and private sector) where mental health consumers experienced a reduction or elimination of services due to erroneous determinations made by managed care utilization review panels. External review gives consumers the opportunity to fight these capricious decisions in a timely manner.

In addition, the Commission's support for the "prudent layperson" standard is of great importance to children and adults with serious mental disorders who disproportionately rely upon urgent care services during psychiatric emergencies. Finally, among many other solid proposals, the Commission's approval of extensive disclosure requirements should arm consumers with the information they need to make thoughtful decisions about their health care.

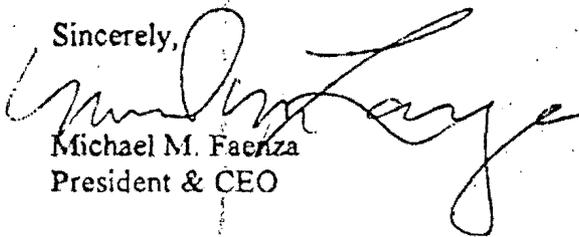
Of course, given the Commission's consensus requirement, there were certain omissions from the final recommendations that we regret. We are particularly dismayed that no meaningful ombudsman proposal was included in the final recommendations. As we've indicated to Commission staff and members, serious mental disorders typically impact both speech and cognition making it much more difficult for people with mental illnesses to initiate an HMO's internal grievance process. Moreover, we are disappointed

Page 2

that the Commission failed to ban discrimination against consumers with mental disorders in common marketing and enrollment practices.

Nonetheless, the Commission's proposed safeguards represent a substantial step forward and should serve as the basis of future congressional action. President Clinton, NMHA will work closely with you to ensure that the Consumer Bill of Rights (with some improvements) is enacted into federal law.

Sincerely,



Michael M. Faenza
President & CEO

American Psychiatric Association

1400 K Street, N.W.
 Washington, D. C. 20005
 Telephone 202.682.6000
 Fax 202.682.6850
 E-mail apa@psych.org
 Internet: www.psych.org

November 20, 1997

The Honorable William J. Clinton
 President of the United States
 The White House
 1600 Pennsylvania Avenue, N.W.
 Washington, D.C. 20500

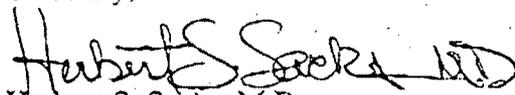
Dear Mr. President:

The American Psychiatric Association (APA), a medical specialty society representing over 42,000 psychiatric physicians nationwide, wishes to offer its congratulations to you, and to Secretary Alexis Herman, Secretary Donna Shalala and the Advisory Commission on Consumer Protection and Quality in the Health Care Industry for the Consumer Bill of Rights and Responsibilities. Certainly, the outstanding leadership exhibited by Secretaries Herman and Shalala and the spirit of cooperation exhibited by Advisory Commission members should be recognized and applauded.

Your creation of the Advisory Commission was an important recognition of the need to identify and address quality and access to care concerns in our changing health care system. To this end, the Consumer Bill of Rights and Responsibilities recognizes important patient rights and protections. It provides a framework that will enable patients, physicians and all health care professionals to work together to improve quality and access to health care.

It is a significant step along the road that will ultimately provide meaningful, nondiscriminatory physical and mental health care to all Americans.

Sincerely,


 Herbert S. Sacks, M.D.
 President

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The Benefits Association



Association of Private Pension and Welfare Plans

November 20, 1997

James A. Klein
President

The Honorable William Jefferson Clinton
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20502

Dear Mr. President,

As an organization representing those who sponsor or administer employment-based health and retirements provided to more than 100 million Americans, the Association of Private Pension and Welfare Plans (APPWP) believes that the consumer bill of rights which will be presented to you today challenges the health care system to focus on the many ways that we can improve the quality of health care coverage and services in this country.

The diverse members of your Advisory Commission on Consumer Protection and Quality in the Health Care Industry recognized that there are many ways that their proposals can be put in place, including through the marketplace mechanisms. We strongly agree.

Employers, health plans, medical providers and consumers are reshaping our health care system through market strategies and have a strong and common interest in the success of their joint efforts. In particular, employers who voluntarily sponsor health benefits to attract and retain a quality workforce want a health care system which is more responsive to the needs of their employees and more accountable for consistently delivering appropriate, high quality care.

Employers also believe that the best way to reach these objectives is through their individual and collective roles as the major purchasers of health care services, not through added regulations which will make it more difficult for some employers to offer coverage at all, or for their employees to elect it when it is available through the workplace. Indeed, employers are leading the way in many important aspects of health system reform and should continue to be encouraged to do so.

We join you in commending the members of your advisory commission for working hard to forge a consensus on a wide range of difficult issues.

Sincerely,

James A. Klein
President

PSW, INC.

Facsimile Cover Sheet

Please deliver the following pages to:

Name: Chris Jennings
 Company: White Horse - GEOR
 Fax: 456-5557
 From: Jeff Ricchetti
 Date: 11/21

We are transmitting a total of 4 pages including this cover sheet. If you do not receive all the pages, please call us at (202) 783-2596. Our fax number is (202) 628-5379.

Chris,

Here is a copy of the recent BCB5 A press release on the quality commission. If this is the one you were referring to this morning, I think it is actually fairly positive & supportive in tone.

I will communicate your views ~~to~~ to BCB5 in a constructive manner. They need to hear the reaction.

Jeff

Public Strategies Washington, Inc.

633 Pennsylvania Ave., N.W. • Fourth floor

Washington, D.C. • 20004

202-783-2596 • Fax 202-628-5379



**BlueCross BlueShield
Association**

An Association of
Independent Blue Cross
and Blue Shield Plans

1810 G. Street, N.W.
Washington, D.C. 20005
Telephones 202.626.4790
Fax 202.626.3634

News Release

FOR IMMEDIATE RELEASE
November 20, 1997

CONTACT: Bill Pierce
202.626.4818

BCBSA STATEMENT ON THE "CONSUMER BILL OF RIGHTS AND RESPONSIBILITIES"

(WASHINGTON) -- We commend the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry for its work and its release of the "Consumer Bill of Rights and Responsibilities." With this release, the Commission adds a new and important set of recommendations to the ongoing deliberation on how best to continue to improve the quality of health care. While we cannot endorse each specific recommendation, the work of the Commission provides an important and thoughtful attempt to design a set of recommendations to add to the debate.

(more)

BCBSA Statement on "Consumer Bill of Rights and Responsibilities"/Add One

As the public and decision-makers review the recommendations, we urge them to keep in mind the very important balance between mandating new requirements for health plans that will significantly increase costs versus keeping the cost of coverage affordable. Recent studies show that more employers than ever -- large and small -- are offering coverage, but more employees -- especially healthy ones -- are declining the offer, deciding "it costs too much." The consumer demand for quality assurance is being aggressively addressed by the combined efforts of private health plans, state regulators, private accrediting bodies and the National Association of Insurance Commissioners. We urge that the good work of the President's Commission be viewed as a roadmap for the ongoing deliberations on quality and not an impetus for new federal regulations that would inevitably result in new and additional costs for health plan coverage.

Blue Cross and Blue Shield Plans have a long-standing commitment to quality managed care. In February of this year, the BCBSA National Council on Medical Management (comprised of Plan physician leaders) developed *The Quality Commitments to Managed Care Members* which were, in turn, adopted by the Board of the Blue Cross and Blue Shield Association.

(more)

BCBSA Statement on "Consumer Bill of Rights and Responsibilities"/Add Two

These commitments address similar issues raised by the President's Commission including assuring that patients have health plan and provider information, appropriate flexibility in patient choice of providers, consistent involvement of patients in their medical treatment and decision-making, and proper respect for the confidentiality of personal medical information.

Finally, we support the Commission's strong patient-focus but we believe that the Commission, in releasing the "Bill of Rights," should also reaffirm the important responsibilities of providers in improving quality. Improved quality will only be achieved through an integrated effort of all those involved in delivering and managing health care -- hospitals, doctors, and other providers -- not just health plans.

BCBSA is an association of 56 independent, locally operated Blue Cross and Blue Shield companies, collectively providing health care coverage to 68.6 million -- one in four -- Americans, 61 percent of whom are in managed care plans. For more information on BCBSA visit <http://bluecares.com>.

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