



FloridaMedical

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Helping Physicians Practice Medicine

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December 4, 2009

The Honorable George LeMieux
356 Russell Senate State Office Building
Washington, DC 20510

Dear Senator LeMieux:

The Florida Medical Association (FMA), which represents nearly 20,000 physicians and medical students that serve millions of patients in Florida, has serious concerns about the health care reform bill, H.R. 3590, currently moving forward in the United States Senate. The FMA supports health care reform, but the proposed Senate legislation contains many provisions that would undermine the patient/physician relationship and create even more access obstacles for Floridians.

While we agree with the goal of H.R. 3590 to ensure that patients receive fair treatment from insurance companies, this legislation does not adequately fix what is wrong with our current system. It contains many provisions that would allow government bureaucrats to interfere with patient care decisions and actually raises the cost of health insurance unnecessarily.

As a whole, the Senate bill falls short of true reform in the following critical areas:

- It creates new bureaucracies, such as the Independent Medicare Advisory Board, and grants unchecked powers to the Secretary of the Department of Health and Human Services (a non-physician) to make significant changes to the Medicare program. This would allow the federal government to make arbitrary decisions about reducing payments for life-saving specialty care for patients, thereby limiting treatment options for elderly patients.
- It inappropriately expands the government's role in determining the quality of medical care by mandating physician involvement in the flawed physician reporting and "efficiency" programs that penalize physicians who allow insurance dollars to be spent appropriately on their patients. These so called pay-for-performance programs have been shown to have no positive impact on patient outcomes. They also appear to have unintended consequences, such as leading hospitals and doctors to avoid sicker patients.
- It fails to fix the current Medicare physician payment system and envisions cuts in Medicare spending that could hurt Florida seniors. The Congressional Budget Office (CBO) has confirmed that a significant reduction in physicians' Medicare reimbursement, which will occur without fixing the current system, will reduce senior citizens' access to medical services.
- It does not address an essential cost containment element – medical liability reform. Numerous studies have demonstrated that effective medical liability reform will significantly lower health care costs by reducing the cost of defensive medicine and eliminating unnecessary litigation from the system.

- It expands the failing Medicaid program by adding 1.4 million to 1.7 million more people to Florida's Medicaid rolls. In Florida, Medicaid patients already face a lack of access to care. This will only exacerbate the problem and shift the cost of this federally-mandated entitlement program to state taxpayers.
- It will cause millions of Americans to lose their existing private coverage, and according to the nonpartisan CBO, 24 million people would still be left without insurance. The CBO also estimates large increases in insurance costs at a time when Americans need lower insurance premiums.

The most troubling aspect of the legislation is the tremendous expansion of government into the health care decision-making process. As doctors, we are taught to first do no harm. Unfortunately, the bill moving through the United States Senate does more harm than good by allowing bureaucrats to make patient care decisions, thereby putting the government between the doctor and the patient.

The government's U.S. Preventative Services Task Force recently declared that mammograms for women under the age of 50 were not recommended. Under the Senate bill, unaccountable bureaucracies like the task force would have vast new powers to coerce doctors to follow their recommendations. This is simply unacceptable.

Health care reform is too important to rush a flawed bill through Congress. The FMA urges you to encourage the United States Senate to go back to the drawing board and draft a bill that will truly benefit our patients in Florida and the nation.

Sincerely,

A handwritten signature in black ink, appearing to read "James B. Dolan". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

James B. Dolan, M.D.
President, Florida Medical Association

cc: FMA Board of Governors
Timothy J. Stapleton, FMA Executive Vice President