

COALITION OF STATE & SPECIALTY MEDICAL SOCIETIES

July 21, 2009

The Honorable Henry A. Waxman
Chairman, Committee on Energy and Commerce
United States House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Waxman:

We are at a critical moment in history. America's physicians deliver the best medical care in the world, yet the systems that have developed to finance the delivery of that care to patients have failed. The time for action is now.

With congressional action imminent, we face a fundamental choice of solutions. One path accepts as "necessary" a substantial increase in federal government control over how medical care is delivered and financed. We believe a different path that allows patients and physicians to take a more direct role in their health care decisions is better. By encouraging patients to own their health insurance policies and by allowing them to freely exercise their right to privately contract with the physician of their choice, health care decisions will be made by patients and physicians and not by the government or other third party payers.

The undersigned medical associations, representing more than 43,000 physicians, are united in our resolve to achieve a health care system that places patients in charge of their health care and preserves the practice of medicine as a profession. We believe the following principles are essential to a patient-centered health care system:

1. Choice of Health Plan. Every person in the United States should have the ability to choose his or her health insurance plan. This goal is realistic and achievable by restructuring the tax code. Patients should not be required to enroll in any particular health plan and physicians should not be required to participate in any particular health plan.
2. Choice of Physician: Every person in the United States should have the ability to choose his or her physician. This goal can be achieved by assuring that patients have the right to privately contract with the physician of their choice.
3. The Right To Privately Contract. The right to privately contract is a touchstone of American freedom and liberty. Patients should have the right to choose their doctor and to enter into agreements as to the fees for those services. Today, in

some instances, it is illegal for a physician to waive or reduce his/her fee. By allowing patients to privately contract with their physicians, patients will have greater access to physicians and the government will have budget certainty.

4. Determination of Quality Care. The determination of quality medical care must be made by the profession of medicine, not by the government. Standards of care are currently developed, adopted and implemented by physicians through their specialty medical societies. Legislation that would allow the government or other third party payers to make determinations of what constitutes quality medical care are rooted in cost containment. Provisions such as those that relate to Comparative Effectiveness Research that can be tied to payment or coverage determinations (i.e. payment for the most “effective” care) interfere in the patient-physician relationship and are not in the patient’s best interest.

As a corollary to the principles stated above, we adamantly oppose the following as inconsistent with quality medical care and the principles of freedom and liberty that lie at the heart of our form of government and our society:

1. Public Option. We oppose the creation of a government-run health plan that will compete unfairly with the private market. We are concerned that any government plan will always have advantages that are not available to the private sector. These unfair advantages will effectively crowd out the private market leaving only a government-run option available.
2. Individual and Employer Mandates. We oppose legislation that will require individuals or employers to purchase health care insurance. We support reforms that will encourage individuals to own their health plan and that will encourage employers to help finance premiums for their employees.

We believe that in order to “fix” the health care system, we must “free it” from unnecessary intrusion by the government and other third party payers. We urge the President and members of Congress to undertake responsible reform of the health care system that is consistent with these principles.

Respectfully submitted:

Medical Societies

Medical Association of the State of Alabama
Medical Society of Delaware
Medical Society of the District of Columbia
Medical Association of Georgia
Kansas Medical Society

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Medical Society of New Jersey
South Carolina Medical Association
American Academy of Facial Plastic and Reconstructive Surgery
American Association of Neurological Surgeons
Triological Society
Sarasota County Medical Society

Past Presidents of the American Medical Association

Donald J. Palmisano, MD, JD, FACS
AMA President 2003-2004

William G. Plested, III, MD, FACS
AMA President 2006-2007