RED KOOL-AID, BLUE KOOL-AID
Health Care Reform - The Key Is the 4 P’s

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Health Care Reform to Most Americans
(M. Scott-Houston Chronicle)
The Agenda

- Is Washington, DC the best place to discuss health care reform?
- Is there an American Health Care System?
- DC Truths-No Bull
- That ivory tower is the Capitol Dome not the Pickens Tower (you’re not in Kansas any more)
- Health Care Reform is....?
- PPACA means what to me?
- Len’s Top 10 Ways to fix the mess
My Goal

“People may not remember what you did or said, but they will always remember how you made them feel”

a) Frustrated
b) Surprised
c) Angry
d) Motivated
e) All of the above
Why Washington, DC Is the Center of the Health Care Universe from Your Friends at CMS (National Health Expenditures (NHE) Fact Sheet)

- 2009-total NHE $2.5T; $8086/person; up 4%
- 17.6% of GDP
- Medicare spending: $502B; 20% of NHE; up 7.9% (47.7 million)
- Medicaid spending: $374B; 15% of NHE; up 9% (58+ million)
- Private insurance: $801B; 32% of NHE; up 1.3%

WHAT WAS THAT ABOUT MARKET FORCES IN HEALTH CARE?
Some Critical American Health Care Facts

- The US spends more per capita on health care than any other major country (exception, East Timor), typically about twice as much as other Westernized democracies.
- US life expectancy ranks about 42nd. We are behind Cuba.
- About 50 million Americans have no health insurance, about 1/6 of the population.
- The US is the only Westernized democracy without a system of universal health care.

WHY?
The United States Does Not Have One Health Care System-
IT HAS 4!
(With full credit to T. R. Reid)
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Basic Premise

- We can learn how to improve by studying how other countries care for their citizens.
- The key is “comparative policy analysis”—how Dwight Eisenhower built the interstate highway system after the German autobahn.
“The key lesson I took from those countries is that fundamental change would be easier to implement than our timid politicians seem to believe.”—T. R. Reid
“The Window of Opportunity” in Taiwan
(Tsung-Mei Cheng, economist)

- Public demand for universal health care
- Majority party was challenged by minority party that supported national health insurance
- Sustained economic growth made funding possible

DO ANY OF THESE CONDITIONS CURRENTLY EXIST IN THE U.S.?
The Essential Yet Unspoken Questions for Americans

- Which inequalities will our society tolerate?
- Is it acceptable for some people to die because they cannot see a doctor, cannot pay for adequate health care, or become bankrupt due to overwhelming medical bills?

**IS HEALTH CARE A RIGHT?**
In Other Words:

◆ Is health care like the police, the fire department, the right to vote and the services of the military (as in all other democracies)?

OR

◆ Is health care like pork bellies, wheat futures, toilet paper and Gucci loafers (as in the U.S. today)?

AND WHEN WILL WE HAVE THIS DISCUSSION BECAUSE WE HAVEN’T HAD IT YET?
Why Health Care Feels Like Getting Your BMW Repaired

- It costs a small fortune
- No matter what they tell you, it seems to be costing you more each time you go in
- The more that gets done, the more the doer makes
Some Basic Truths About Our Government

(The Rules of Life in DC by Dr. Marie Michnich-
Director of the RWJF Fellowship Program)
◆ Congress is not there to make good laws, it is there to prevent the making of bad laws.

◆ Never compromise your honesty. Answer a different question.
Never get between a big dog and a fire hydrant

The first thing a member of Congress does every morning is read his or her own local newspaper.
Allen Schick-The Yoda of the Federal Budget

- When the President and the Congress are from different parties, everyone behaves better.
- In the House, the majority wins IF it stays together.
More Allen Schick

- In the Senate, the magic number is 60.

- Congressional Budget Office (CBO) scoring means everything to a piece of legislation.
Authorization does not necessarily equal appropriation. It depends....

All bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.
What Is “Regular Order” to Pass a Bill

- Bill originates in House or Senate except revenue bills must originate in House (Article 1, Section 7)
- Bills usually go to committees for discussion (mark-up) and amendment
- The amended bill must pass each committee
- Most bills do not pass both houses of Congress or their committees in identical form
- A conference committee is formed by legislative leaders in both houses and from both parties to resolve the different versions of the bills
- The new version must be passed through both houses of Congress
- Then it goes to the President for signature
As Senator Mitch McConnell’s Chief Health Staffer Megan Hauck taught me when I asked her why this had to be so hard—

“It’s supposed to be hard”
The 4 P’s of Government
(in reverse order of importance)

**POLICY**

**PROCESS**

**POLITICS**

**PERSONALITY**
HEALTH CARE REFORM
The Devil Will Be In The Details

Everyone’s definition of health care reform is the same—

I PAY LESS!!!!

Dr. Norman Ornstein-
American Enterprise Institute
The Bottom Line

- **Access** - Who gets to see the doctor and where?
- **Cost** - Who pays and how much?
- **Quality** - How good is the care and how do we even measure this?
Friendly Reminder

Every cost reduction is someone’s income.
At the Dawn of 2010, Where Was the Health Care Reform Process?

- The new President had made the health care reform legislation his top priority despite the faltering economy.
- For the first time since the 1960’s, a health care bill had gone through mark-up in a Congressional committee.
- Bills were reported out to both houses of Congress.
- The two bills are not identical.
- Regular order? YES or NO?
ObamaCare?--Nope-PelosiCare

- House Speaker Nancy Pelosi avoids need for conference committee by passing Senate version of bill through House
- President Obama signs into law on March 23, 2010
- President signs letter preventing federal funds to be used for abortion codifying the Stupak provision of the former House version
- Final package passes March 25, 2010
- Violence erupts

WHY?
Why Is Everyone So Angry?

- What does the Tea Party really want?
- If they are “taking back our country”, who from?
The Patient Protection and Affordable Care Act of 2010

- The first major piece of social legislation passed entirely with the votes of one party
- 32-34 million more Americans will gain access to health insurance. What about access to health care?
- Costs are only marginally addressed
- Ditto quality-demonstration projects
- 2409 pages plus 150 page reconciliation bill
- CBO scored at $143B deficit reduction over 10 years and $1.2T over 20 years
- 10 Titles including private insurance, public insurance, prevention, work force issues, follow-on biologics, long-term care and taxes.
What’s the Problem

- Like the Massachusetts bill of 2006 (mandates, subsidies and exchanges), this does not really control costs (Does RomneyCare = ObamaCare?)
- The “fee for service” system is unchanged
- We pay more for doing than for thinking (remember our BMW?)
- If you want to change delivery, change reimbursement. This bill does not change practice, delivery, reimbursement, teaching, work force control, remuneration or measures of quality
Cost in PPACA (But....)

- As long as doctors and hospitals work on a fee-for-service basis (last of the guild system),

- with variable prices for the same activity (depending who is paying)

- Using for-profit intermediaries that negate true market forces (insurance companies) not to spread risk or promote health, but to please shareholders...

COSTS WILL NOT BE CONTROLLED

“You are a great inspiration to the young of this nation who will one day grow up and be great doctors and great patients.”
Could the Entire Health Care Reform Bill’s Implementation Rest on the Shoulders of One Person?

- Barack Obama?
- Michelle O’Bachmann
- Nope!
Some of the Enumerated Powers of Congress from Article I, Section 8 of the United States Constitution

- Taxes
- Borrow money
- **Regulate commerce (clause 3)**
- Naturalization and bankruptcy laws
- Money and post offices
- Patents and copyrights
- Declare war and raise an army
- “To make all laws which shall be necessary and proper for carrying into execution the foregoing powers” (clause 18)
OR—Could The Supreme Court Kick the Can Down the Road?

- Tax Anti-Injunction Act
- Reconstruction era law
- Cannot bring suit to injoin the collection of a tax
- Only bring suit to get refund after tax is paid (not until 2015!!!!!!!)
- Is the individual mandate penalty a “tax”? 

**Cartoon: Kicking the Can**
What Still Worries Me

- Where are the doctors going to come from? An insurance card is not healthcare.
- Why won’t the insurers simply raise premiums?
- What happens when we realize that birth is a pre-existing condition? Genomics.
- What happens when we realize that death is inevitable—no, I mean we really believe it!
- **Who decides? Could Sarah Palin have been right all along?**
Drinking the Kool-Aid

- Embracing a philosophy
- Completely buying into an idea or system, whether good or bad
- Going along with what the crowd desires

Jim Jones led over 900 people to their suicide from drinking cyanide-laced Kool-Aid on November 18, 1978.
Len’s Top 10 Prescriptions for Kool-Aid Overdose
LEONARD ZWILLING, M.D.

Some legislators are fighting for a simplified Senate.

Smaller staffs, limiting travel would help in health care struggle

In the case of the Senate, the benefits of a smaller staff and less travel could be significant. A smaller staff would allow for more focus on specific issues and less duplication of efforts. This could lead to more efficient and effective decision-making.

Limiting travel would reduce the environmental impact of the Senate and make it more accessible to the public. It would also reduce the cost of travel for senators, which is currently a significant expense.

The Senate is facing a major decision on health care reform, and any measures that can help streamline the process and make it more efficient are important. Reducing the size of the staff and limiting travel are two such measures that could be beneficial.

Implementing these changes may require some adjustment, but the benefits of a more efficient and effective Senate are worth it. It is time for the Senate to take action and make changes that will help improve the health care system.
Decrease the size of Congressional staffs
Limit member travel away from Washington when Congress is in session from after 5 P.M. on Thursday to 10 A.M. Monday.
All bills and amendments must be read by members prior to voting on them.
All bill language must be drafted by members of Congress or employees of the federal government.
Limit lobbying time to four hours each weekday only.
Every bill must have a clearly written summary of its contents in colloquial English that is vouched for by at least one Democrat and one Republican and posted on a public web site.
All Americans should be given free online access to the publications of the Congressional Research Service.
No matter what the distribution of seats between Republicans and Democrats on a Congressional committee, each side gets to invite equal numbers of witnesses.
More roundtables; fewer hearings.
Members should keep storytelling to a minimum, especially when presented as “evidence” of universal truth.
Health Care Reform?-The TSA Is In!

- Who’s going to provide health care to the newly insured?
- Why not put the time on the TSA security line to good use?
- iPad when showing boarding pass for history
- Update vaccination, medication and allergy records
- Physical exam by newly-trained TSA agents
- Real CT scan
- Cancer screening (mammography, DRE, exposed skin exam) for first class and frequent flyers
- More health care; More security; More jobs!