

Congress of the United States

Washington, DC 20515

July 2, 2001

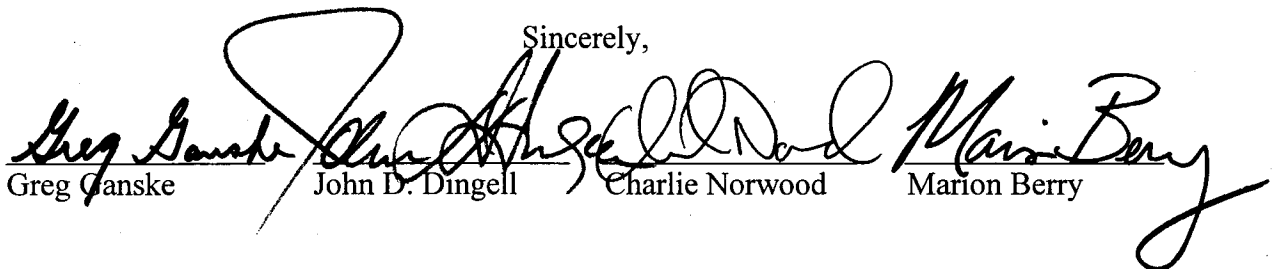
Dear Colleague:

After ten days of healthy debate, the Senate passed the McCain-Edwards bill by a vote of 59-36. The amendment process produced some very important changes to the underlying bill, which we would like to bring to your attention.

- The *Breaux-Jeffords Amendment* on scope allows state laws to govern where they are substantially in compliance with the federal law. It passed by a vote of 64-36.
- The *Snowe Amendment* allows employers to protect themselves by naming a designated decisionmaker to be responsible for decisions. Furthermore, the Snowe Amendment protects self insured, self administered employer plans from any liability from contract actions. It passed by a vote 96-4.
- The *DeWine Amendment* expands the class action prohibition in the underlying bill so that class actions can only be filed against a single health plan. It passed by a vote of 98-0.
- The *Thompson Amendment* requires that the review process be exhausted, requires that the result be admissible as evidence, and allows an irreparably harmed patient to file a suit only if the reviewers are delinquent in returning a result. It passed by a vote of 98-0.
- The *Gramm Amendment* makes clear that reviewers cannot provide benefits that are explicitly excluded from the plan. It passed by a voice vote.

We intend to incorporate these changes into the Ganske-Dingell-Norwood-Berry bill as we move to consideration on the House floor. Recent surveys show the public overwhelmingly supports our bill (H.R. 526) over the Fletcher bill (H.R. 2315). Given the above changes in the bipartisan Senate-passed bill, as well as the fact that our bill contains stronger patient protections than the Fletcher bill, we urge you to support only our bill when it comes to the House floor for a vote.

Sincerely,


Greg Ganske John D. Dingell Charlie Norwood Marion Berry