



600 MARYLAND AVENUE, SW
SUITE 100 WEST
WASHINGTON, DC 20024-2571
202 651-7000 • FAX 202 651-7001
[HTTP://WWW.NURSINGWORLD.ORG](http://www.nursingworld.org)

BEVERLY L. MALONE, PH.D. RN, FAAN
PRESIDENT

ARGENE CARSWELL, JD, RN
EXECUTIVE DIRECTOR (INTERIM)

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April 24, 1998

The Honorable Tom Daschle
United States Senate
Washington, DC 20510

Dear Senator Daschle:

I am writing on behalf of the American Nurses Association to endorse S. 1891, the Patients Bill of Rights Act of 1998, and its companion bill, H.R. 3605, introduced by Rep. John Dingell. The American Nurses Association is the only full-service professional organization representing the nation's Registered Nurses through its 53 constituent associations.

ANA strongly supports the patient protection recommendations of the President's Advisory Commission on Consumer Protections and Quality in the Health Care Industry, and we commend you on introducing legislation which would establish those recommendations as the law of the land. These recommendations and this legislation are consonant with Nursing's Principles for a Managed Care Environment, adopted by ANA in 1997, which include the right of every individual to access health care services along the full continuum of care, acknowledgment of consumers as empowered partners in making health care decisions, and the sharing of accountability for quality, cost-effective health care among health plans, health systems, providers, and consumers.

Given the nursing profession's preeminent role in patient advocacy, ANA is particularly heartened by the steps proposed in this legislation to protect nurses from retaliation when they advocate for their patients in institutional settings. This carefully drafted provision of S. 1891 would help insure that nurses are able to meet their ethical and, in some cases, legal obligation to speak out when health and safety standards are not being met. It would also require the institutions to make sure that nurses have full information on internal procedures for addressing these problems when they arise.

ANA also strongly supports the bill's anti-discrimination protections for health care providers on the basis of type of license. ANA believes that such protection is necessary to insure that consumers have access to appropriate services throughout the full continuum of care. While we appreciate the inclusion of this strong provision, we are concerned about language elsewhere in the legislation which singles out ob/gyn physicians as primary care providers for women. Since there are many instances of advanced practice nurses who provide services in this capacity,



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especially in underserved areas, ANA believes that it is inconsistent and inappropriate for the bill to make such a distinction. ANA supports efforts to ensure that women have direct access to providers of ob/gyn services and the choice of such an ob/gyn specialist as their primary care provider. However, the emphasis of any such language should be on the provision of services - not on the type of license a practitioner might hold.

The legislation includes a number of strong provisions which are critically important to health care consumers and the future of high-quality health care in the United States. ANA strongly supports the protections for participants in clinical trials, access to emergency and speciality services, prohibiting plans from interfering with communications between providers and patients, and the numerous prohibitions on discrimination in delivery of services against enrollees, including on the basis of genetic information.

The American Nurses Association believes that this legislation embodies important principles for protecting health care consumers, and we look forward to working with you towards its enactment.

Sincerely,

A handwritten signature in cursive script that reads "Argene Carswell". The signature is written in dark ink and is positioned above the typed name.

Argene Carswell, JD, RN
Executive Director (Interim)

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