

American Academy of Family Physicians

The doctors who specialize in you



September 7, 1999

The Honorable Charlie Norwood
1707 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Norwood:

On behalf of the 88,000 members American Academy of Family Physicians, I want to commend you for your responsiveness to the needs of patients and the general public in the ongoing effort to pass meaningful, comprehensive managed care reform. Furthermore, I urge the House leadership to expeditiously pass legislation encompassing the provisions of the Bipartisan Managed Care Improvement Act of 1999, H.R. 2723.

The Academy is pleased to support the bill because it contains principles we view as prerequisites to good patient care. The principles the Academy has articulated are outlined as follows:

- **Reforms need to cover all health care plans; not just self-funded plans**
Patient protections should protect all patients.
- **Gag clause protections need to be extended to all physicians**
Physician-patient communication must be protected and extended to health insurers' contracts. Unfettered medical communication is undeniably in the best interest of patients--all patients. Any final bill needs specific language stipulating that any provision of a contract between a health plan and a physician that restricts physician-patient communication is null and void.
- **Physician advocacy must be protected**
Managed care reform must include provisions to prevent retaliation by a health plan toward physicians who advocate on behalf of their patients within the health plan, or before an external review entity. Family physicians, as primary care physicians, play a pivotal role in ensuring that their patients get access to the care they need. Health plans should not have the power to threaten or retaliate against physicians they contract with to provide needed health care services.

2021 Massachusetts
Avenue, N.W.
Washington, DC
20036-1011

(202) 232-9033
(888) 794-7481
Fax: (202) 232-9044

E-mail:
capitol@aafp.org
<http://www.aafp.org>

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- **Independent external review standards must be truly independent**
Managed care reform must contain a fair, independent standard of external review by an outside entity. It makes no sense to pay an outside reviewer to use the same standard of care used by some health plans, which may limit care to the lowest cost option that does not endanger the life of the patient. All of our patients deserve better.
- **Patients need the right to seek enforcement of external review decisions in court**
Managed care reform must allow patients to seek enforcement of an independent external review entity decision against the health plan. Without explicit recourse to the courts, the protections of external review are meaningless.
- **Patients need access to primary care physicians and other specialists**
Managed care reform must allow patients to seek care from the appropriate specialist, including both family physicians and obstetricians/gynecologists for women's health, as well as both family physicians and pediatricians for children's care. Primary care physicians should provide acute care and preventive care for the entire person, and other specialists should provide ongoing care for particular conditions or disease.

I look forward to working with you in support of these principles. It is time to see them not just articulated in legislation, but enacted into federal law.

Sincerely,



Neil H. Brooks, M.D.
Chair, Board of Directors