



American Society for Bariatric Surgery

140 NW 75th Drive, Suite C  
Gainesville, FL 32607-1587

September 7, 1999

The Honorable Charlie Norwood  
United States House of Representatives  
1707 Longworth House Building  
WASHINGTON D.C. 20515

Dear Representative Norwood:

On behalf of the 400 members of the American Society for Bariatric Surgery (ASBS), I am pleased to offer the ASBS' endorsement of H.R. 2723, The Bipartisan Consensus Managed Care Improvement Act of 1999. This legislation encompasses many of the provisions that the ASBS believes are critical to insuring that all privately insured patients have access to the most appropriate medical care. And while the legislation does not specifically guarantee access to bariatric surgical care for the morbidly obese, we believe it does represent an important first step in the Society's effort to enhance access to this care for all people of size.

The ASBS is particularly pleased with provisions in the legislation that address medical necessity ~~thru~~ external review. Health plans frequently restrict patient care by unilaterally determining the most appropriate medical treatment. This determination often is contrary to the advice of the patient's treating physician. It is also formulated on the basis of cost rather than the patient's best interest. H.R. 2723 would protect patients by requiring health plans to offer their enrollees an opportunity for independent external review of their case. The external reviewer would then produce binding determination. The ASBS further commends you for including a requirement that the independent external review entity determine the appropriate treatment by considering the recommendation of the treating physician along with other reasonable medical evidence, and to do so without being bound to the health plan's definition of medical necessity.

(Continued)

The Honorable Charlie Norwood  
September 7, 1999  
Page 2

These provisions, along with a numerous other provisions included in H.R. 2723, address critical patient needs in our nation's changing health care system. Once again, ASBS is pleased to offer its support for the Bipartisan Managed Care Improvement Act of 1999, and we look forward to working with you, the Republican and Democratic leadership and, in fact, all of the members of the House of Representatives to insure that comprehensive managed care reform legislation is enacted this year.

Sincerely,



Latham Flanagan Jr., M.D., F.A.C.S.  
President, American Society for  
Bariatric Surgery

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