#### United States Senate

SPECIAL COMMITTEE ON AGING

6/29/93 HRC & LeFalce Meeting:

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#### United States Senate

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#### United States Senate

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#### United States Senate

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#### United States Senate

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JOHN J. LAFALCE 29TH DISTRICT, NEW YORK

2310 RAYBURN BUILDING WASHINGTON, DC 20515-3229 (202) 225-3231 a Ira, Eller, Dennings

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MAIN POST OFFICE BUILDING NIAGARA FALLS, NY 14302 (718) 284-9976

> FEDERAL BUILDING ROCHESTER, NY 14614 (716) 263-6424

### Congress of the United States

House of Representatives Washington, DC 20515-3229

August 6, 1993

Mrs. Hillary Rodham Clinton The White House 1600 Pennsylvania Avenue Washington, DC 20500

PAM AUG 1 7 1993

Dear Hillary:

I can't begin to tell you how helpful I believe your meeting with my Small Business Committee members was about a week and a half ago, and I also believe the meeting in my office with John Motley will at least neutralize the NFIB somewhat and perhaps might be even more helpful than that.

This past Wednesday, I held a hearing at the Small Business Committee on the subject of health care reform. Six small business trade associations testified before me and I am enclosing their testimony for your review.

4

Of special note, at the end of the hearing I asked each of the trade associations if they were leaning for or leaning against the Clinton health care reform proposals as they now understood them, and four of the six - the U.S. Chamber of Commerce, the National Association of Manufacturers, the National Small Business United, and the Small Business Legislative Council - explicitly and publicly stated that they were leaning in favor of the Clinton Administration plan. As expected, the National Restaurant Association and the National Federation of Independent Business stated they were leaning against it.

On a personal note, I would love it if you could find some time in your schedule to come to Western New York, either by yourself, you and your husband, or you and Chelsea, so we could do a bit of campaigning about health care, but also have a little fun by seeing Niagara Falls. It is something I definitely hope you can do this summer or fall, or next spring, summer, or fall. Notice I am not attempting to get you to come to Buffalo during the winter.

I hope to see or hear from you soon. Best personal regards.

() Enclosure

L:jm

JOHN J. LaFALCE Member of Congress DETERMINED TO BE AN ADMINISTRATIVE MARKING Per E.O. 12958 as amended, Sec. 3.2 (c) Initials: 77 Date: 9.1.05

#### PRIVILEGED AND CONFIDENTIAL MEMORANDUM

TO: Hillary Rodham Clinton

June 28, 1993

TO: Miliary Rounam Clinton

FR: Chris Jennings, Sean Burton
RE: Meeting with Congressman LaFalce

cc: Melanne, Steve, Lorraine, Distribution

Tomorrow you are scheduled to meet with Congressman John LaFalce from New York. As you know, the Congressman serves as the Chairman of the House Small Business Committee and would provide valuable cover to us should he be an early and public supporter of the Clinton health reform proposal. This meeting was scheduled to begin to cultivate a strong working and personal relationship.

#### BACKGROUND:

Interestingly, besides being the House Small Business Chairman, Congressman LaFalce is a cosponsor of Congressman McDermott's single payer bill. This meeting will be a general briefing on health care reform. The Congressman will be particularly interested in the elements our plan share with a single payer system and the steps taken to minimize the impact on small businesses.

The Congressman is concerned that health care reform, especially employer mandate approaches, could have a devastating affect on small businesses. It is primarily this concern that has lead LaFalce to support the single payer plan. The fact that his upstate New York district lies on the Canadian border and that many of his constituents have a familiarity with the Canadian system (often through relatives who live there), makes this decision all the more comfortable for him. (It is interesting to note, however, that the McDermott bill contains a 6 percent payroll tax to help finance the cost of the measure.)

While not a major player on health care reform, with sufficient attention, the Congressman will likely be with us in the end and can serve as useful connection to the small business community. And although his committee is unlikely to receive jurisdiction over parts of the plan, it can serve as a forum for airing our message on health care reform and small business. In meetings with his committee staff, they have suggested the possibility of holding hearings at an appropriate time on the current problems facing small businesses in providing insurance and how the Administration's plan would help.

Over the last couple of months, we developed an on-going and generally productive relationship with the Congressman and his staff. We have held a small meeting with his staff and then had Ken Thorpe brief the entire staff of those who serve on the Committee.

In addition, Ira met with the Congressman last month. Although the meeting was not overly substantive, the Congressman appeared to sincerely appreciate the outreach effort. Since he has a past working relationship with Ira, Congressman LeFalce seems to place great trust in Ira.

Lastly, however, it should be noted that LeFalce feels relatively close to John Motley, of the National Federation of Independent Business. They worked together to kill Section 89 of the tax code, which required health care expense reporting requirements that the small business community hated. With this in mind, you may wish to ask him to give you guidance on how best to work with NFIB and other small business representatives.

As you requested, attached to this memo is the latest version of a small business presentation that the Department of Health and Human Services is writing. Although it is far from a state that we are totally comfortable with, we thought you might find this information to be useful for meetings with small business advocates. We will provide updated versions of this and other small business documents as they become available.

### Health Reform and Small Business

A Look at Problems in Today's System and Solutions Under the President's Health Reform

#### Small Business and Health Care Reform: Overview

It takes courage and ingenuity to start and succeed as a small business. It means taking a risk with your future and betting that you succeed. As many as 1 out of 12 small businesses fail within the first year. It is not right that many small business owners also face the risk that their families and employees won't have health care when they need it. It is not right that those who provide coverage risk that within a year that coverage may be taken away or priced out of reach.

Small businesses fuel job creation and strengthen our economy. Responsible for 90% of job growth in 1990, small businesses has become the nation's engine of economic growth. Yet this growth is endangered by a health care system which threatens every American business, especially small businesses. Small business owners can face financial devastation if a family member or just one employee falls ill. And employers who try to provide health care to their employees find a health care system stacked against small businesses.

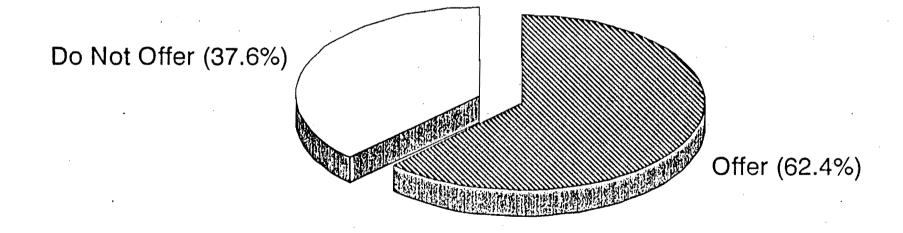
Nonetheless, a majority of American small businesses manage to provide coverage. Today 62% of American businesses with less than 100 employees provide health care coverage to their employees. And 51% of those with fewer than 25 employees provide health care. But providing these benefits isn't easy.

The Clinton Administration believes that most small business want to cover their employees -- and most do. Our health care plan will work for small business, taking away the hassle and ensuring security of affordable, predictable health care coverage. And for those businesses who don't provide health insurance coverage, our reform will protect them while they make the transition. The plan provides financial assistance and a phase-in period so they may provide health security to their employees and families.

In today's Mom and Pop stores, the Mom or the Pop serves as the <u>de facto</u> benefits department. They fill out the paperwork. They make the phone calls. They negotiate rates and enroll their employees. They dutifully pay their premiums every month. But all too often, within a year, their insurer will raise rates and price them out of the market -- many times for no reason. Or the insurer will refuses to renew coverage. Then the small business owner is back to the drawing board -- spending more time and more money to find another insurer -- and the cycle starts again.

The following document examines the major problems faced by small businesses in today's health market and shows how health reform and the formation of health alliances will address most, if not all, of the major problems facing small businesses.

## The Majority of Small Businesses Offer Health Insurance to Their Employees



For Firms with Less than 100 Employees

Source: Dept. of Labor, Based on SBA Calculation of May 1988 CPS Survey Data

### The Small Business Obstacle Course

- Time and Money
- Price Discrimination
- Insurance Abuses Redlining Underwriting
- High Administrative Costs
- A Volatile Insurance Market Price Gouging Difficulty Securing Renewal

#### THE SMALL BUSINESS OBSTACLE COURSE

Problem:

Small business owners must go through an obstacle course of insurance abuses and higher costs to provide health care coverage for their employees.

Small business owners who spend the time and money to cover employees frequently must deal with an insurance market which changes its rules at every stage of the game, a volatile market, unpredictable cost increases, higher administrative costs, and premiums rising at a faster rate than health care costs for larger employers.

Lacking a benefits department like larger firms most small business owners must perform all the functions of such a department by themselves. Negotiating health coverage in today's health care system is a process often fraught with frustration and obstacles.

Many small business owners, after setting aside the time to negotiate coverage for their employers, encounter obstacles like "occupational redlining" a practice where insurers will simply refuse to cover entire industries perceived to be high risk; or medical underwriting, basing premiums on perceived risk and medical history; or experience rating, where insurers jack up costs if just one employee falls ill or gets injured. Many insurers engage in "price baiting and gouging" offering "discount" rates for the first year of coverage only to charge much higher prices in the next year when pre-existing condition exclusions expire. And many small firms with sick workers find that an insurance company will refuse to renew their policy in the second year.

Not surprisingly the hassle and discrimination in today's system make many small owners worry about being able to continue to provide this coverage. The reform plan addresses nearly all of the problems which cause the small business owner so much hassle and time in obtaining insurance.

The Plan: Health reform outlaws insurance practices like underwriting and redlining. The health alliance helps small businesses cut through the hassle.

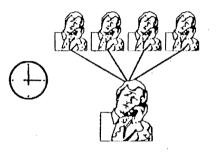
We will take the burden off the small business with health alliances which will deal with the insurance companies and bargain for competitive prices. The alliance will take over the paperwork and the negotiations; provide information on plans and increase ease of enrollment. Higher administrative costs will be reduced and the hassle of the current system is eliminated.

The Clinton reform plan outlaws insurance abuses such as redlining, underwriting and experience ratings. Costs of premiums are controlled and the insurance market is stabilized. Under our reform, everyone living in the same area pays a similar price for a similar plan. And they have the security knowing those costs will be predictable and increase at a lower rate.

### Small Business Owners Face an Obstacle Course in Obtaining Health Insurance

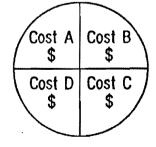


Time & Money



Cost Negotiations





Price Discrimination



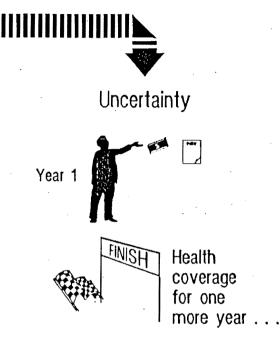
High Administrative Costs



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Insurance Abuses





Priced out of market



Renewal refused



### The New System



## Insurance Industry Abuses

- Medical Underwriting
- Experience Rating
- Price Baiting and Price Gouging
- Refusal to Renew Policy
- Occupational Redlining

#### OCCUPATIONAL REDLINING

### TYPES OF INDUSTRIES OFTEN EXCLUDED FROM HEALTH INSURANCE PLANS

Amusement Parks

Asbestos-Related Industries

Auto Dealers

Aviation

Barbers and Beauty Shops

Bars and Taverns

Car Washes

Commercial Fishing

Construction

Convenience Stores

Domestic Help

Entertainment/Athletic Groups

Exterminators

Federally Funded Organizations

Florists

Foundries

Grocery Stores

Health Clubs and Spas

Hospitals and Nursing Homes

Hotels and Motels

Insurance Agencies

Interior Decorators

Janitorial Services

Junk and Scrap Metal

Law Firms

Limousine Services

Liquor Stores

Logging and Lumber Mills

Meat/Fish Packers

Mining Operations

Moving Operations

Oil Field Operations

Parking Lots

Physicians Practices

Restaurants

Roofing Companies

Security Guard Firms

State Funded Organizations

Taxicabs

Trucking Firms (Long-Haul)

#### Sources:

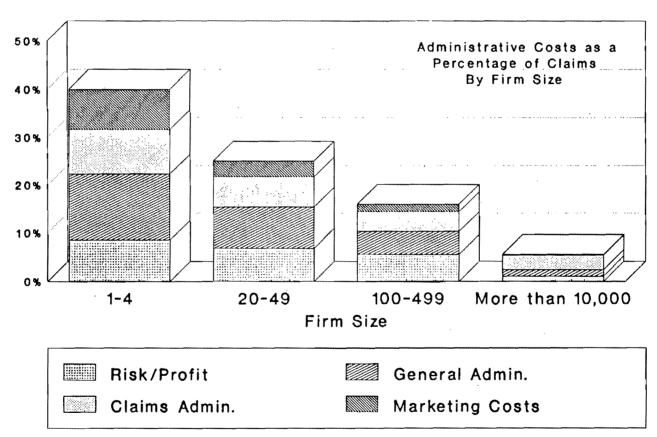
List of "ineligible industries" and industries requiring "special consideration" from selected insurance plans analyzed by the Alpha Center.

American Hospital Association, <u>Promoting Health Insurance in the Workplace</u>
<u>and Local Initiatives to Increase Private Coverage</u> (Chicago: 1988), as cited in:
<u>United States General Accounting Office, Health Insurance: Cost Increases Lead</u>
<u>to Coverage Limitations and Cost-Shifting</u>. (GAO/HRD 90-68)

## Higher Administrative Costs

- Higher Overhead
- No Benefits Department
- Faster Increases in Costs

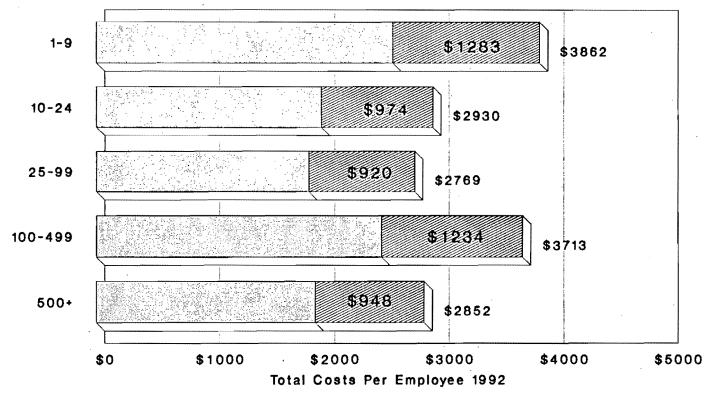
### Small Businesses Face Higher Administrative Costs



Source: Hay/Huggins, Inc.

### Employers Would Save \$1,015 Per Employee Per Year If Costs Were Controlled --Small Businesses Save Most





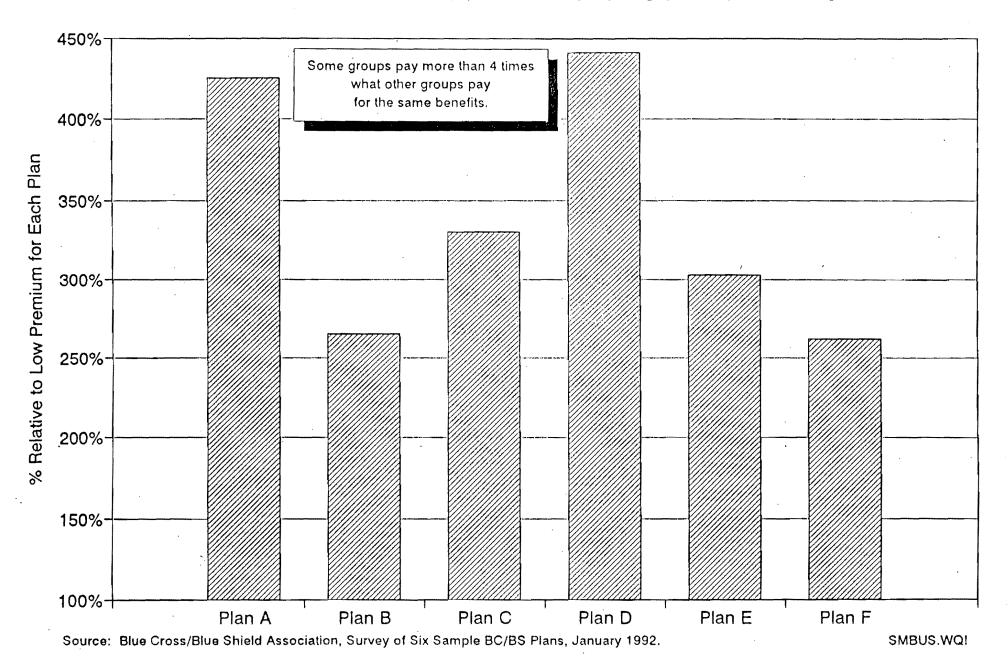
Excess Costs

Source: Lewin-ICF

## A Volatile Market

- Cost Variations
- Unpredictable Cost Increases
- Durational Rating
- Churning

### Small Groups (2-25) Face Large Variations in Health Insurance Premiums



#### **SUMMARY**

TODAY	REFORM
High Administrative Costs: Higher administrative costs account for as much as 40% of the policy costs compared to about 5% for large companies. [CBO, 5/92]	Cuts Administrative Costs: The health alliance assumes the administrative functions and costs which kill small business owners.
The Obstacle Course: Small business owners who cover their employees must spend a lot of time and effort dealing with an insurance market which changes its rules at each stage of the game.	Eliminates Hassle: The health alliance negotiates rates, provides information on plans, increases ease of enrollment and absorbs the manpower drain.
Dramatically Increasing Costs: Premiums for small employers rise at a faster rate than for other employers as much as 50% in any given year. [NAM]	Aggressively Controls Costs: Health reform will aggressively control cost increases which hit small businesses disproportionately hard.
Difficulty Obtaining Renewal: After a first year of reasonable rates, small businesses often face higher costs and difficulty obtaining renewal.	Guarantees Renewal: Guarantees renewal and stabilizes premiums.
Small Risk Pool: Fewer employees mean a smaller pool to share the risk. Insurance companies frequently charge more for these policies and one illness can cause plan cost to increase dramatically.	Spreads Risk Evenly: Consolidates small businesses in large purchasing pools to give them the same bargaining power as large companies.
Insurance Industry Abuses: Insurance companies redline large sectors of the small business market. Underwriting and experience rating leads to discriminatory prices for small business policies.	Outlaws Unfair Insurance Practices: Prohibits redlining, experience rating and underwriting. Requires that plans charge all firms in a given area a similar price for the same health plan.

#### Insurance Problems Facing the Small Group Employee Market

- Large Volatile Variation in Premiums
  - Underwriting
  - O High Risk
- Workers in Small Firms Finance a Higher Proportion of Total Premiums
- Insurance is More Expensive Relative to Large Firms
  - High Administrative Costs
  - O Premiums Include Costs of Uninsured
  - O Provider Payments Substantially Above Costs
- Growth in Insurance Premiums is Higher in the Small Group Market
  - O Less Likely to Have Established Cost Containment Programs

	1994	Health Bill as % of Compensation	2000	Health Bill as % of Compensation
Average compensation par worker:	\$36,299		\$50,334	,
Average insured worker's health bill	\$7,423	20.45%	\$12,386	24.61%
Health Insurance	\$4,132	11.38%	\$6,895	13.70%
Employer's share of premium	\$3,163	8.71%	\$5,278	10.49%
Individual's share of premium	\$969	2.67%	\$1,617	3.21%
Medicare payroli tax	\$926	2.55%	\$1,546	3.07%
Workers' comp/disability/industrial inplant	\$246	0.68%	\$411	0.82%
Out-of-pocket	\$782	2.15%	\$1,305	2.59%
Other spending at health facilities	\$113	0.31%	\$188	0.37%
Federal taxes, fees, & other payments	\$654	1.80%	\$1,092	2.17%
Federal employees' health premiums	<b>\$</b> 53	0.15%	\$88	0.18%
Federal contributions to Medicare HI	\$11	0.03%	\$19	0.04%
Medicare (general revenue)	\$169	0.47%	\$283	0.56%
Medicaid	\$246	0.68%	\$411	0.82%
Other federal health programs	\$174	0.48%	\$290	0.58%
State & local taxes, fees, & other payments	\$569	1.57%	\$950	1.89%
State/local employees' health premiums	\$149	0.41%	\$248	0.49%
State/local contributions to Medicare HI	\$24	0.06%	\$39	0.08%
Medicaid	\$186	0.51%	\$310	0.62%
Hospital subsidies	\$81	0.22%	\$135	0.27%
Other programs	\$130	0.36%	\$218	0.43%

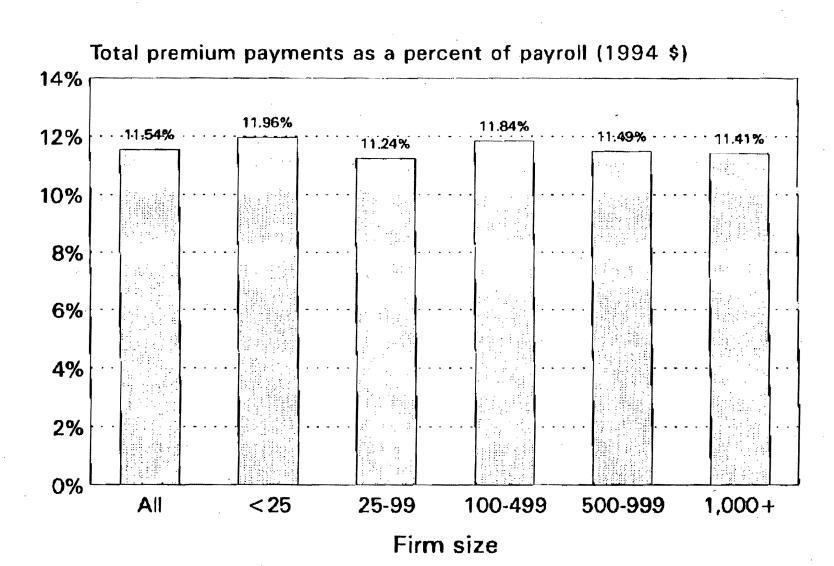
Source: Office of Health Policy, ASPE, 11115 analysis using Health Core Financing Administration; Urban Institute; and and Department of Commerce, Bureau of Economic Analysis data.

Current Spending on Private Health Insurance Premiums by State.
As a Percent of Taxable Earnings

	Taxable Earnings	Premiums	Percen
ALABAMA	38,998,615,398	3,751 <i>897.9</i> 75	9.627
ALASKA	7,471,145,760	542,968,282	7.279
ARIZONA	40,891,51 <b>2,82</b> 8	3,674,537,304	8.999
ARKANSAS	22,072,511,494	2,369,779,864	10.749
CALIFORNIA	376 824,975,470	31,877,334,190	8.46%
CULORADO	42,952,222,017	4,135,548,261	9.63%
CONNECTICUT	47,909,041,475	4,355,805,242	9.09%
DELAWARE	8,849,078,8 <i>G</i> 7	773,909,213	8.759
DC	7,552,877,819	445,947,314	5.90%
FLORIDA	138,666,533,016	10,936,916,977	7.89%
GEORGLA	69,107,458,829	6,723,213,419	9.73%
HAWAII	14,976,797,447	1,346,035,317	8.999
IDAHO	9,725,688,646	1,028,354,152	10.479
ILLINOIS	143,985,945,827	13,640,116,472	9.47%
INDIANA	61,043,580,896	6,713,556,189	11.009
IOWA	30,016, <b>622</b> ,605	3,056,074,535	10.189
KANSAS	28,715,089,385	2,789,136,209	9.719
KENTUCKY	34,784,608,184	3,266,394,864	9.399
LOUISIANA	39,529,575,525	3,484,793,997	8.829
MAINE	12,889,997,383	1,321,989,294	10269
MARYLAND	68,211,468,897	5,210,965,688	7.649
MASSACHUSETTS	77,961,860,617	6,503,215,432	8.349
MICHIGAN	109,409,081,232	11,912,093,402	10.899
MINNESOTA	51,705,415,820	5,314,122,517	10289
MISSISSIPPI	20,557,808,856	2,125,883,724	10.349
MISSOURI	60244,888,374	6,222,536,523	10.339
MONTANA	7,830,490,164	890,991,169	11.389
NEBRASKA	17,478,845,803	1,796,956,659	10289
NEVADA	15,537,209,212	1,714,663,640	11.049
NEW HAMPSHIRE	16,013,650,661	1,667,820,843	10.419
NEW JERSEY	110,015,651,967	9,124,393,868	8.939
NEW MEXICO	14,950,233,670	1,464,499,881	9.80%
NEW YORK	217,920,564,116	19,235,998,662	8.839
NORTH CAROLINA	72,154,332,101	6,571,365,130	9.119
NORTH DAKOTA	6,052,341,293	618,523,636	10.229
OHIO	124,378,294,987	13,280,058,130	10.689
OKLAHOMA	32,097,793,109	2,890,309,363	9.009
OREGON	32,773.518,112	3,490,744,060	10.659
PENNSYLVANIA	132 224 234,494	15,138,836,639	11.459
RHODE ISLAND	12,056,487,582	1,263,223,740	10.489
SOUTII CAROLINA	37 <b>,791<i>5</i>00<i>5</i>51</b>	3,703,870,746	9.809
	6,456 <i>9</i> 92 <i>,9</i> 30	705,755,456	10.939
SOUTH DAKOTA	47,547,509,848	4,872,056,097	
TENNESSEE	• • • •	4,6/2,00.711. <b>823</b>	10.239
TEXAS	186,606,311,095	, , ,	8.419
UTAH VERMONE	16,607,270,729	1,809,372,751	10.909
VERMONT	6,477,098,200	645,079,504	9.96%
VTRGINIA	83,193,483,170	6,488,962,015	7.80%
WASHINGTON	63,863,931,291	6,009,963,683	9.419
WEST VIRGINIA	15,348,775,523	1,602,410,413	10.449
WISCONSIN	58,699,280,587	6,469,131,821	11.029
WYOMING	5,005,270,744	493,327,885	9.869
	*	271,872,153,970	

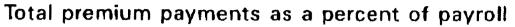
Source: Social Security Wage Base

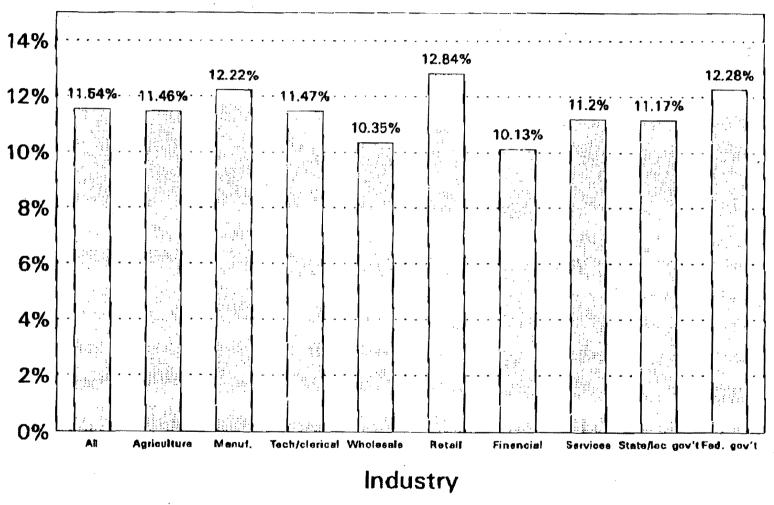
Firm Size	1994	1995	1996	1997	1998	1999	2000
All	11.54%	12.06%	12.53%	12.96%	13.42%	13.88%	14.36%
<25	11.96%	12.50%	12.98%	13.43%	13.90%	14.39%	14.89%
25-99	1 <b>1.24%</b>	11.75%	12.20%	12.62%	13.07%	13.52%	13.99%
100-499	11.84%	12.38%	12.85%	13.29%	13.77%	14.24%	14.74%
500-999	11.49%	12.01%	12.47%	12.90%	13.36%	13.82%	14.30%
1000+	11,41%	11.93%	12.39%	12.B1%	13.27%	13.72%	14.20%



Source: Urban Institute analyses of the March 1992 Current Population Survey.

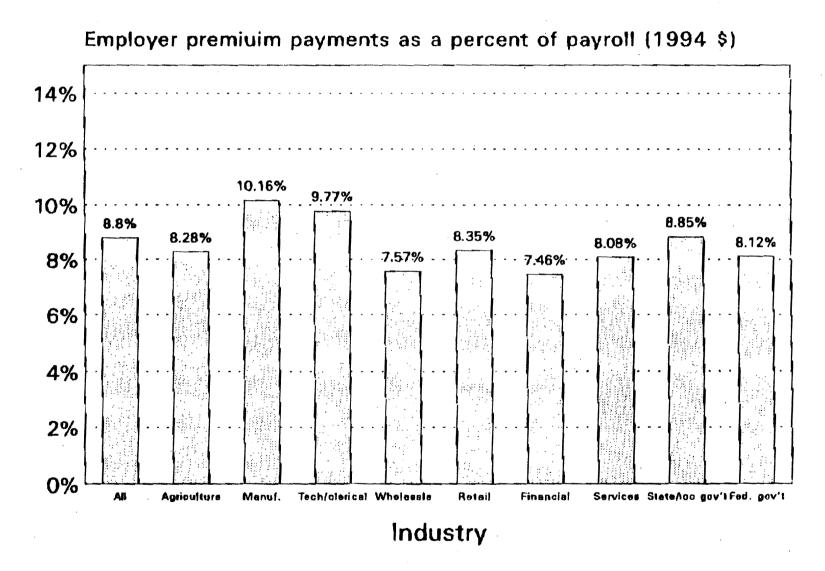
## Total premium payments as a percent of payroll vary by industry and are highest for retail.





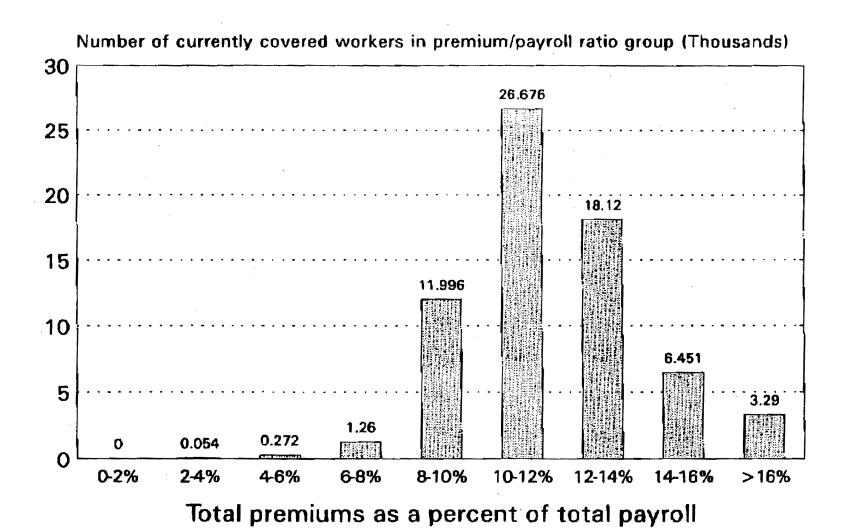
Source: Urban Institute analyses of March 1992 Current Population Survey.

## Employer premium payments as a percent of payroll vary by industry and are highest for manufacturing.



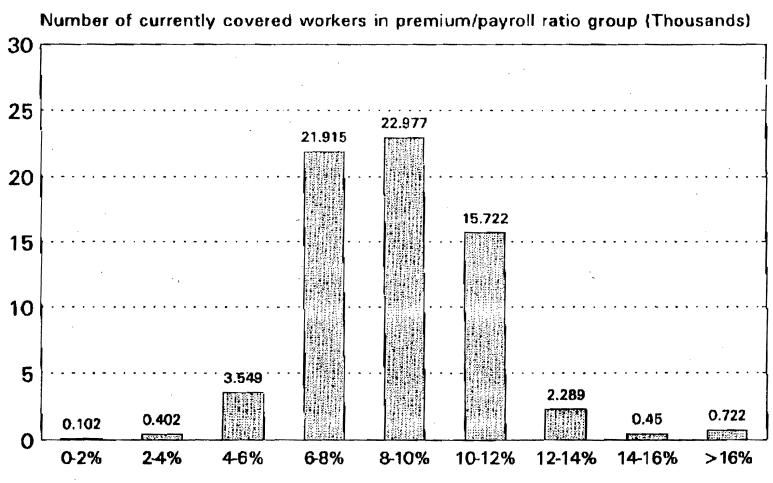
Source: Urban Institute analyses of March 1992 Current Population Survey.

# Health Insurance Premiums Relative to Payrolls: The Distribution Under the Current System



Source: Urban Institute's TRIM2 model, based on the March 1991 Current Population Survey.

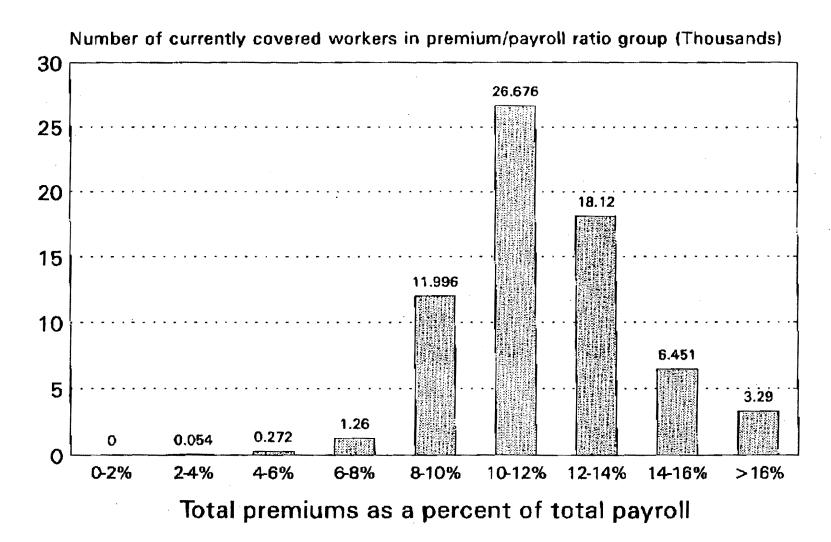
# Health Insurance Premiums Relative to Payrolls: The Distribution Under the Current System



Employer premiums as a percent of total payroll

Source: Urban Institute's TRIM2 model, based on the March 1991 Current Population Survey.

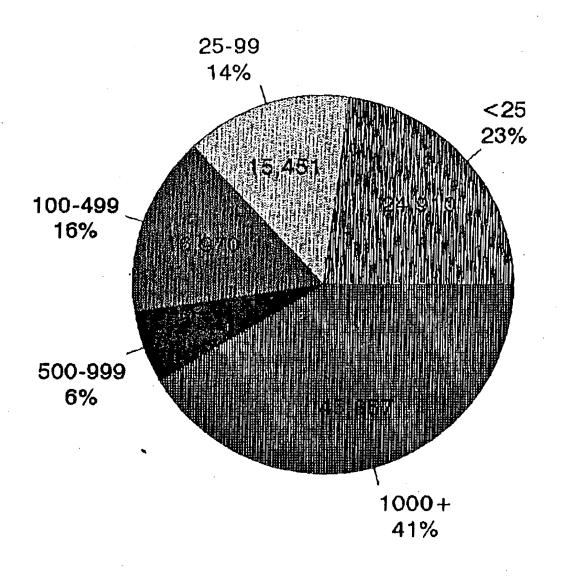
# Health Insurance Premiums Relative to Payrolls: The Distribution Under the Current System



Source: Urban Institute's TRIM2 model, based on the March 1991 Current Population Survey.

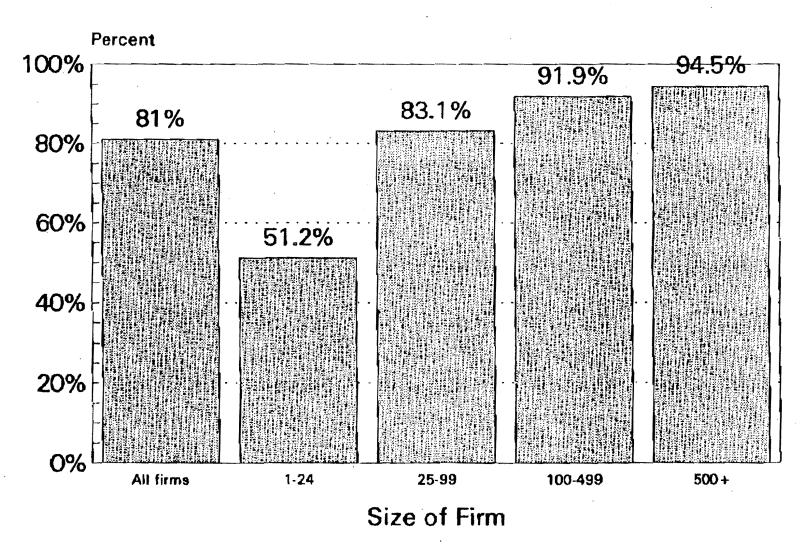
## Workers: How many work for small firms?

Distribution of workers by firm size



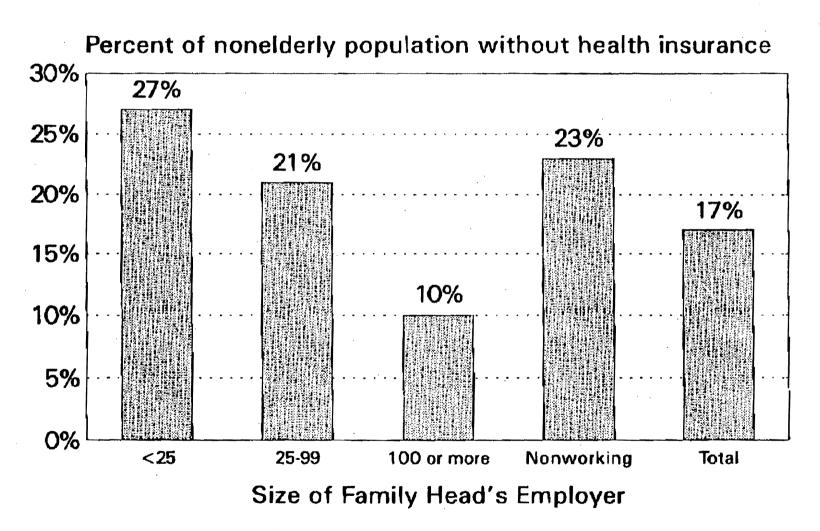
Source: The Urban Institute (1993), based on the March 1992 CPS and TRIM2. Numbers are in thousands.

### Percentage of Firms Offering Health Insurance By Firm Size



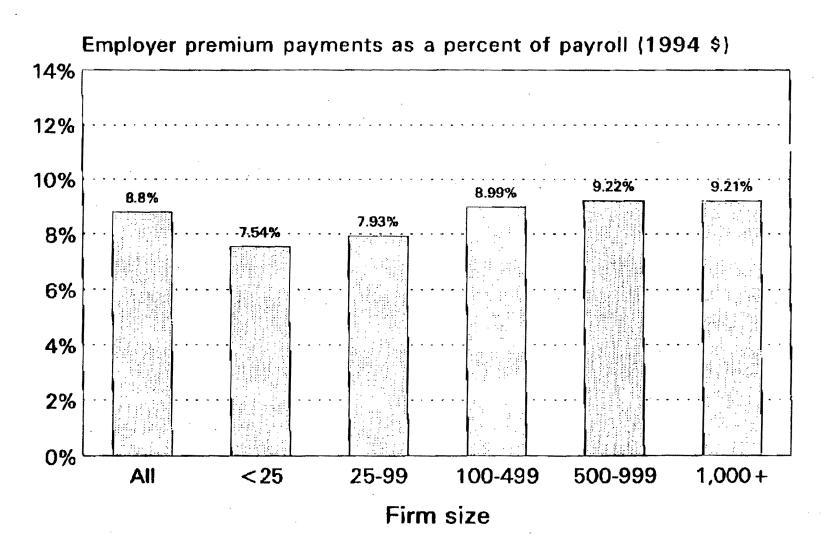
Source: Dept. of Labor, based on Small Business Admin calculations of May 1988 CPS Survey Data

# People who work for small businesses are more likely to be without health insurance.



Source: Employee Benefits Research Institute Analysis of the March 1992 CPS.

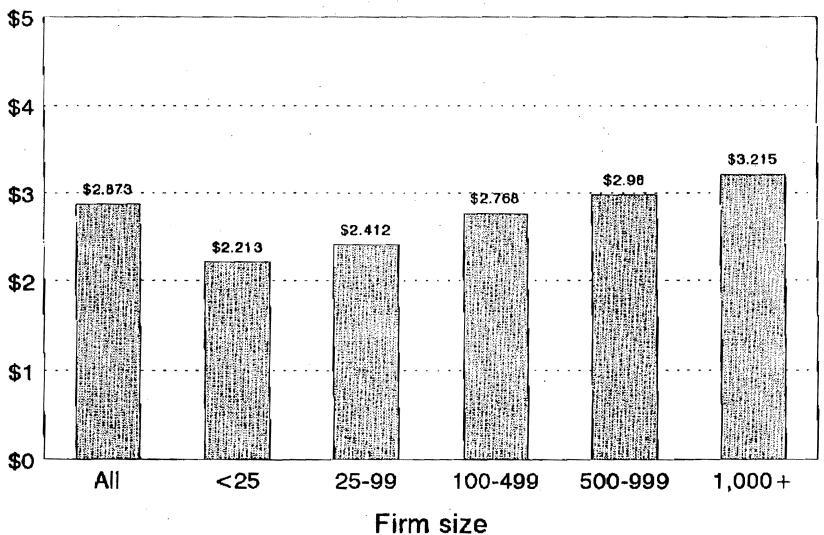
# Employer premium payments as a percent of payroll are lowest for small firms.



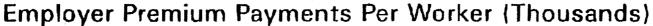
Source: Urban Institute analyses of the March 1992 Current Population Survey.

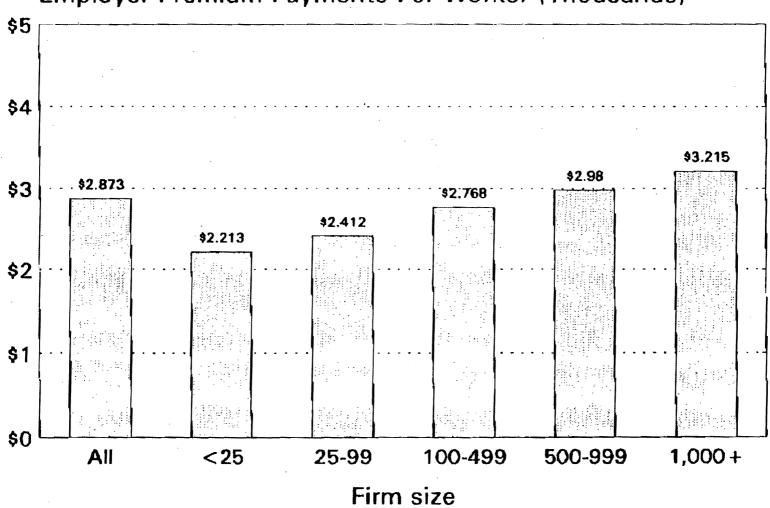
# Employer premium payments per worker vary by firm size and are the largest for large firms.





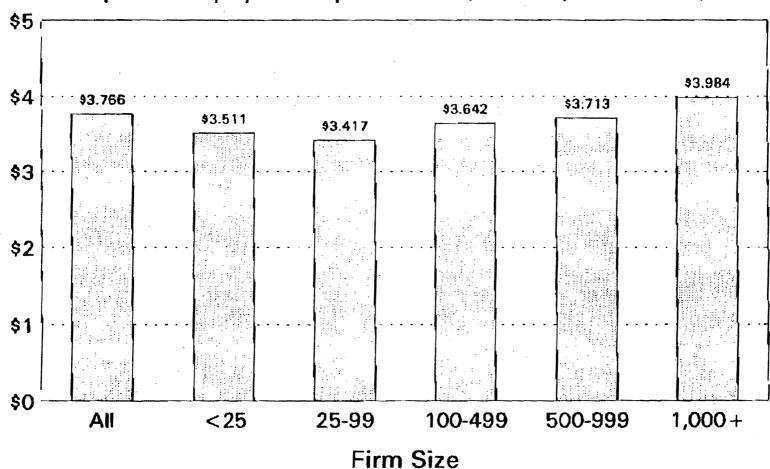
## Employer premium payments per worker vary by firm size and are the largest for large firms.





# Total premium payments per worker vary with firm size and are highest for large firms.





Source: Urban Institute analyses of March 1992 Current Population Survey.