

PARCA

Ensuring Patients' Access to Care

October 5, 2009

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

Dear Speaker Pelosi,

We, the undersigned members of the Patient Access to Responsible Care Alliance (PARCA), a coalition of organizations representing hundreds of thousands of non-MD health care professionals, are writing to you today regarding the Tri-Committee health reform bill and how that legislation will address the important issue of provider non-discrimination.

In today's delivery system, health plans routinely discriminate against whole classes of healthcare providers based solely on their licensure or certification. Such discrimination is not only wrong in principle, but is anti-competitive in nature, limits or even denies patient choice and access to a range of beneficial providers, and in general results in a less than ideal and optimal delivery system.

As you know, nearly every state has enacted patient and consumer protections in some form, along with insurance guarantees, that apply to that portion of the health insurance marketplace regulated at the state level. We are extremely pleased that one of the important actions of the House Energy & Commerce Committee on September 23, 2009 was to approve an amendment to the Tri-Committee bill to ensure the preservation and applicability of state-enacted consumer and provider protections specifically related to the issue of provider non-discrimination. The amendment approved by the Energy & Commerce Committee reads as follows:

"Notwithstanding any other provision of this Act (or any amendment made by the Act), this Act (and any amendment made by this Act) shall not supersede laws, as they now or hereinafter exist, of any State or jurisdiction designed to prohibit a health plan or insurer from discriminating with respect to participation, reimbursement, covered services, indemnification, or related requirements under a health plan or other health insurance coverage against a provider who is acting within the scope of that provider's license or certification under applicable State law."

The adoption of this amendment is an important step toward helping ensure that important state enacted protections, including provider non-discrimination laws, will continue to help guarantee that patients have access to the health providers of their choice - including the broad array of non-MD/DO physicians, nurses and other health professionals that millions of patients depend upon for quality and effective health care services.

We strongly urge you to retain the above provision in the final version of the Tri-Committee bill when it reaches the floor of the House for a vote.

Additionally, to the extent that any new national or regional health plan is established under the authority of the Tri-Committee bill, we strongly urge the adoption of a comparable federal non-discrimination provision applicable to these plans that will ensure providers are not discriminated against with respect to participation, reimbursement and indemnification in health insurance plans.

Sincerely,

The Patients' Access to Responsible Care Alliance

- Academy of Doctors of Audiology
- American Academy of Audiology
- American Academy of Nurse Practitioners
- American Association of Nurse Anesthetists
- American Chiropractic Association
- American College of Nurse Midwives
- American Optometric Association
- American Physical Therapy Association
- American Podiatric Medical Association
- American Psychological Association
- American Speech-Language-Hearing Association
- National Association of Social Workers

PARCA is a coalition of organizations that represent the interests of millions of patients and non-MD/DO healthcare providers. It aims to provide federal policymakers with access to information from all areas of the healthcare community, in order to assist in the formulation of responsible, well-rounded healthcare policy. The coalition is committed to quality, cost-effective care, and ensuring patients have options in the delivery of such care.

Contact: Brian R. Bullard, Chair
Patients Access to Responsible Care Alliance
c/o AANA
25 Massachusetts Avenue, NW
Suite 550
Washington, DC 20001
(202) 484-8400