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american society of internal medicine

May 7, 1996

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REPRESENTING
Internists and
All Subspecialists
of Internal Medicine

The Honorable Spencer Abraham
United States Senate
245 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Abraham:

The American Society of Internal Medicine, representing this nation's largest medical specialty, urges you to support the following in a conference report on HR 3103, the Health Coverage Availability and Affordability Act of 1996.

* Support provisions in both Senate and House bills to provide portability of group insurance coverage, to limit preexisting condition exclusions, to guarantee renewability of insurance, and to improve coverage within the individual insurance market. ASIM prefers the House bill's provisions offering continued coverage even after a 60 day lapse in coverage, the Senate bill's provisions guaranteeing availability to a wider range of employers and the Senate's provisions allowing more flexibility in the enforcement of the insurance standards.

* Support provisions in the Senate bill increasing the health insurance deduction for the self-employed to 80 percent. ASIM prefers a 100% deduction but believes the Senate bill is a step in the right direction.

* Support provisions in the Senate bill requiring a study of access to specialized care.

* Support provisions in the House bill authorizing medical savings accounts (MSAs) and setting a \$250,000 cap on non-economic damages and providing other medical liability reforms. ASIM believes that MSAs should be offered to people as an option for insurance coverage. Caps on non-economic damages have a proven record of holding down health care costs.

* Support Senate fraud and abuse language providing for a "knowing and willful" standard of criminal intent. Amend provisions in both bills allowing the use of secret screens and code edits by health plans. Allowing prosecution for "knowing" violations, as opposed to a knowing and willful violation, could result in legitimate disagreements over medical judgment and treatment decisions being subject to legal penalties. "Black box" edits have no place in a public program like Medicare and could result in denials of medically necessary care without an opportunity for public review.

ASIM recognizes that there are disagreements over the final parameters of the reform legislation, including many provisions we have supported for many years. However, most important is that this Congress enact legislation to which all sides can agree that will improve the lives of millions of Americans by broadening access to insurance coverage.

Sincerely,

Alan R. Nelson MD

Alan Nelson, MD
Executive Vice President

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