



ICA Legislative Committee National Health Care Reform Update

March 22, 2010

Final House Passage of National Health Care Reform Legislation Establishes New Terms and Conditions for Insurance Coverage for All Americans

The US House of Representatives voted 219 - 212 on Sunday in a roll call vote on which every Member present went on record, to approve a health care reform bill passed by the Senate in December. The bill, HR 3590 was passed after only two hours of debate Sunday evening, passing with no Republican support. The legislation now goes to President Barack Obama for his signature before becoming the law of the land. The *Associated Press* reports that President Obama is set to sign the sweeping reform into law on Tuesday during a ceremony on the White House's South Lawn.

The Senate bill's adoption by the House was then followed by the passage of a second bill, HR 4872 designed to attempt to reconcile the Senate bill on key elements that differ from the bill passed by the House last November. Action by the Senate will be required to enact those changes.

With last night's action by the US House of Representatives on national health care reform legislation, a health care overhaul is now an accomplished fact. The House passed the Senate-enacted language (HR 3590) intact, with chiropractic's status in the reform package anchored in a number of remarkable achievements in terms of legislative language. In fact, chiropractic has done far better in securing specific goals than anyone might have expected. This has been the product of the unique level of mobilization and cooperation within the profession through The Chiropractic Summit, along with the support of a few key Members of Congress.

The Senate version, now approved by the House, contains the all-important non-discrimination language championed throughout the entire process by Senator Tom Harkin (D-IA) who has consistently sought to promote language that would prevent discrimination against any provider by insurance plans, including doctors of chiropractic, solely on the basis of their license.

SEC. 2706. NON-DISCRIMINATION IN HEALTH CARE. (a) **PROVIDERS.**—A group health plan and a health insurance issuer offering group or individual health insurance coverage **shall not discriminate** with respect to participation under the plan or coverage against any health care provider who is acting within the scope of that provider's license or certification under applicable State law.

Section 5101 of the Senate bill also includes chiropractic practitioners in a key definitions section on the healthcare work force:

*(2) HEALTH PROFESSIONALS- The term 'health professionals' includes-- (A) dentists, dental hygienists, primary care providers, specialty physicians, nurses, nurse practitioners, physician assistants, psychologists and other behavioral and mental health professionals (including substance abuse prevention and treatment providers), social workers, physical and occupational therapists, public health professionals, clinical pharmacists, allied health professionals, **doctors of chiropractic**,...*

The Senate bill also includes doctors of chiropractic in the list of potential members of interdisciplinary community health teams established in Section 3502 of the bill. These patient-centered teams would support the development of “medical homes” which is a term that has evolved during the current health reform debate to mean something like an HMO in order to provide better access to comprehensive, community based, coordinated care.

The Senate bill established an independent panel to make final decisions about the exact services and benefits that health plans established or qualified under the act must include. Unlike the various versions in the House, however, the Senate bill also includes a new and independent Medicare advisory panel, which would be able to implement spending cuts if costs outpace savings in 10 years. This extends the concept of investing such controversial decision-making authority in a non-Congressional body, in large part to deflect political pressure and the negative consequences of major cuts away from Members of Congress.

Regardless of the exact language in this final legislation, it is clear even now that the opportunity to enact profound changes, the kind of paradigm shift from a drug, hospital and radical end-stage intervention-based system of sick care into a system anchored in personal responsibility for health, preventive care, wellness and the encouragement of natural healing pathways such as chiropractic, has been missed. This means that the health care reform debate will have to continue until the root causes of upwardly spiraling costs, rampant error rates and issues of fairness are addressed.

Throughout the current legislative process, ICA has sought to deliver a steady stream of compelling information highlighting the importance of chiropractic as a vital part of the solution, offering as it does a proven, safe, clinically and cost effective care pathway for patients of all ages; and not a contributor to the problems of spiraling costs, massive costly and injurious errors and growing consumer dissatisfaction.

The massive national health care reform undertaking has stimulated an historic common effort by the organizations of the chiropractic profession. Through this effort, the chiropractic profession has developed an agreed set of goals, prepared detailed and sophisticated educational materials for policy makers and has carefully coordinated its lobbying efforts on a scale and at a level that has never before been achieved. We urge all organizations and individual DCs to be familiar with and to utilize the materials prepared by the Summit, including the landmark white paper, *The Path to Change in the US Health Care System: The*

Chiropractic Perspective and its equally impressive *Cost Effectiveness Supplement* companion paper. These documents are still highly relevant to any debate on chiropractic in any state, provincial, national or third-party policy process. Copies of both of these important documents are available on ICA's website at www.chiropractic.org.

ICA is proud to be a dedicated participant in the activities of The Chiropractic Summit and since the battle for sound, open and balanced national health care policy is far from over, ICA urges all organizations in the profession to do likewise.

The ICA Legislative Team has recognized the current, unprecedented period of focus on health care policy as a valuable opportunity to educate policy makers in the executive branch, as well as legislators and their staff members, on the unique contribution chiropractic care can and should be making to the health care system and to the health and well-being of citizens of all ages. This longer-term educational process is important because profound reforms have been side-stepped, and the current escalation of costs, deterioration of quality and consumer dissatisfaction will continue to spiral, perhaps even expediting the inevitable collapse of the system.

Because the current legislation failed to enact anything resembling a major paradigm shift, the present failing system has simply been infused with more patients and more money. If this is, as so many predict, just the opening round in the marathon national health care policy debate that will drag on for years, ICA is confident that chiropractic's role in national health care will be secured, ultimately because it is a sound, cost-effective health care pathway in which people have faith and which they will demand be covered. ICA is, in this context, stressing the cost savings inherent in expanding chiropractic coverage, offering as it does a proven lower-cost care pathway for a wide range of patient needs.

ICA will continue to carefully monitor future developments and coordinate its efforts with its Summit partners. Watch ICA's website at www.chiropractic.org for continued coverage of these vital issues.