

Medical Ethics 202-378-8863

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July 31, 2007

RE: Medicare Rationing in CHAMP Act

Dear Representative:

This week the House is expected to vote on the Children's Health and Medicare Protection Act (CHAMP Act) incorporating Medicare provisions that *prevent older Americans from protecting themselves from rationing.*

Title IV effectively ends the ability of older Americans, if they choose, to add their own money on top of what the government will pay in order to get Medicare health insurance less likely to ration life-saving medical treatment – by ending the “private fee-for-service” alternative that gives them this legal option. We urge your “no” vote on the CHAMP Act. The National Right to Life Committee (NRLC) will publish the floor vote on the bill as a key pro-life vote.

Price controls are imposed by Sections 401(c) (specified in the bill) and 425(b) (subject to CMS discretion). Hidden in language that on its face appears merely to foster quality controls, section 421 indirectly but effectively eliminates all indemnity private fee-for-service plans as of 2009 and all private fee-for-service plans, including PPOs, as of 2010. Other objectionable, if redundant, provisions would make such plans infeasible in practice. (See full explanation in “NRLC Analysis of House CHAMP Act” at www.nrlc.org/Medicare/index.html).

It is critical to understand that Title IV goes beyond the question of what the *government contribution* in tax dollars will be to such plans; it actually authorizes limits on what senior citizens themselves are permitted to spend to save their own lives.

The economic reality is that in order to provide Medicare coverage for the baby boom generation as it retires without unrealistically massive tax increases, government payments per beneficiary will not be able to keep up with medical inflation. If the funds available for health care for senior citizens from all sources are so limited, the only possible result will be rationing. Since senior citizens are required to participate in Medicare, this would amount to government-imposed involuntary euthanasia.

In 1997, however, at the urging of NRLC and other groups, Congress created one alternative to rationing that does not either break the budget or require new taxes. This alternative was expanded in 2003.

That alternative permits those eligible for Medicare voluntarily to supplement government payments for health insurance premiums with their own funds, if they wish, in order to obtain either PPO (preferred provider plans) that are less tightly managed or unrationed, unmanaged, indemnity plans under the

private fee-for-service option in Medicare Advantage. This is comparable to the way in which most retirees supplement government Social Security payments for living expenses with their own funds.

The National Right to Life Committee (NRLC) believes it imperative to maintain the legal possibility of adding one's own money to obtain private fee-for-service insurance in any Medicare reform that may be enacted by Congress. NRLC takes no position on the appropriate level of government funding for health care, including Medicare, so long as private fee-for-service plans are treated equally with other private Medicare plans and Americans are left free, if they wish, to make up government shortfalls with their own funds and to have the legally available choice of unrationed, un-managed health insurance.

This vote affects the critical issue of *involuntary euthanasia* -- of whether uncounted millions of us (for all of us hope to live to be senior citizens someday) are forced to die against our will because the government makes it *illegal even to use our own money to obtain unrationed health insurance.*

If Congress were to pass a law saying that those eligible for Social Security, to the extent they sought to spend anything over their Social Security check, had to face government review and obtain approval to use savings, pensions, or other income once they reached 65, with the clear prospect of being prohibited from spending "too much"--everyone would be outraged. Yet this bill does something even worse than requiring government review before you can spend your own money to raise your standard of living; it allows the government to veto your right to spend your own money to save your own life.

We therefore urge your "no" vote on the CHAMP Act. NRLC will publish the floor vote on the bill as a key pro-life vote.

Respectfully submitted,



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