Doctors to Gingrich: Republicans Need to Repent on “Healthcare”

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Newt Gingrich and other Republicans promise to repeal ObamaCare, but doctors remember what they did in 1996. Just after they “defeated” ClintonCare, they changed its name and enacted the very worst parts of it.

The Health Insurance Portability and Accountability Act (HIPAA) started out as a short act to improve “COBRA” coverage that allows workers to extend employer-sponsored insurance for a time after changing jobs. But about 300 pages mysteriously appeared, grafted onto this supposedly insignificant bill.

Republicans evidently don’t read the bills either. They appeared to be shocked when I called this addendum to their attention, and its remarkable similarity to parts of the Clinton plan. In fact, parts were practically a verbatim “cut and paste.”

One portion amounts to the criminalization of medicine with huge penalties—fines and even long prison terms—for minor coding errors that used to be considered billing disputes. Hundreds of millions of dollars were shoveled into federal enforcement programs, which often seem to be entrapment programs. There’s a giant new cottage “compliance” industry adding to the costs and hassles of Medicare.

Another part of HIPAA is the “Privacy” Rule, which is really a disclosure rule. This creates all kinds of vexing rules that hinder patient care (no more whiteboards with patients’ names on them!) or block communication with family or a patient’s private physician. But it authorizes disclosure to hundreds of other entities, including insurers or government agencies, without patient consent.

Then there are standards for electronic claims or records. These facilitate creation of a giant database containing everyone’s personal information to enable central planning and monitoring—and potentially punishment of physicians who deviate from the political agenda.

Later laws build on this. One is the HITECH Act, the Health Information Technology for Economic and Clinical Health Act, enacted as part of the American Recovery and Reinvestment Act (“Stimulus” Act) of 2009. And ObamaCare adds heavier penalties, more rules, and more money for enforcement.

Gingrich is a long-time advocate of “health information technology” (HIT). American medicine makes use of computerization in many ways, but Gingrich thinks it lags far behind Wal-Mart, and that a massive electronic changeover would greatly reduce

costs and improve quality. Many physicians urge caution, as HIT has serious potential hazards for patient safety as well as privacy. Gingrich and many others appear to want to impose rapid implementation of government-dictated technology from the top down, without waiting for the free market to pick the winners and losers.

Republicans have other laws to answer for: the Clinton fall-back plan of health insurance coverage for children (SCHIP or KidCare), the Clinton-Gingrich automatic fee cuts to physicians if Medicare spending exceeds a certain target (the “Sustained Growth Rate” or SGR problem that Congress overrules year after year); and a huge new entitlement, Medicare Part D (prescription drug coverage), which added trillions to Medicare’s unfunded liabilities. Gingrich, though not in Congress in 2003, lobbied heavily for Part D, calling it “the most important bill to vote on in your career.”

Gingrich reveals his progressive bent in telling Glenn Beck that “no private corporation has the purchasing power or the ability to reshape the health system.”And since we already have Medicare, it should cover other medical items that seniors need.

In a free market, of course, it is the purchasing decisions of millions of free men and women that reshape the system. And we can’t return to limited government by expanding the errors that we previously made.

Like Romney, Gingrich has favored an individual mandate to purchase insurance. This is the big-government, progressive answer to the problem that some do not or cannot meet their individual responsibility to pay for the medical services they use. Progressives force physicians and hospitals to provide unlimited free care, and then to compensate for it, propose a mandated third-party payment mechanism in addition to taxation.

Republicans need to remember that government is the problem, not the solution. We have had a bipartisan march toward government control of medicine. The answer is not Clinton-Lite or Obama-Lite, but rather a return of the power to make medical decisions to patients and physicians.

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