INTRODUCING THE QUALITY HEALTH CARE COALITION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PAUL. Mr. Speaker, I am pleased to introduce the Quality Health Care Coalition Act, which takes a first step towards restoring a true free market in health care by restoring the rights of freedom of contract and association to health care professionals. Over the past few years, we have had much debate in Congress about the difficulties medical professionals and patients are having with Health Maintenance Organizations (HMOs). HMOs are devices used by insurance industries to ration health care. While it is politically popular for members of Congress to bash the HMOs and the insurance industry, the growth of the HMOs are rooted in past government interventions in the health care market though the tax code, the Employment Retirement Security Act (ERSIA), and the federal anti-trust laws. These interventions took control of the health care dollar away from individual patients and providers, thus making it inevitable that something like the HMOs would emerge as a means to control costs.

Many of my well-meaning colleagues would deal with the problems created by the HMOs by expanding the federal government's control over the health care market. These interventions will inevitably drive up the cost of health care and further erode the ability of patents and providers to determine the best health treatments free of government and third-party interference. In contrast, the Quality Health Care Coalition Act addresses the problems associated with HMOs by restoring medical professionals' freedom to form voluntary organizations for the purpose of negotiating contracts with an HMO or an insurance company.

As an OB–GYN with over 30 years in practice, I am well aware of how young physicians coming out of medical school feel compelled to sign contracts with HMOs that may contain clauses that compromise their professional integrity. For example, many physicians are contractually forbidden from discussing all available treatment options with their patients because the HMO gatekeeper has deemed certain treatment options too expensive. In my own practice, I have tried hard not to sign contracts with any health insurance company that infringed on my ability to practice medicine in the best interests of my patients and I have always counseled my professional colleagues to do the same. Unfortunately, because of the dominance of the HMO in today's health care market, many health care professionals cannot sustain a medical practice unless they agree to conform their practice to the dictates of some HMO.

One way health care professionals could counter the power of the HMOs would be to form a voluntary association for the purpose of negotiating with an HMO or an insurance company. However, health care professionals who attempt to form such a group run the risk of persecution under federal anti-trust laws. This not only reduces the ability of health care professionals to negotiate with HMOs on a level playing field, but also constitutes an unconstitutional violation of medical professionals' freedom of contract and association.

Under the United States Constitution, the Federal government has no authority to interfere with the private contracts of American citizens. Furthermore, the prohibitions on contracting contained in the Sherman antitrust laws are based on a flawed economic theory which holds that Federal regulators can improve upon market outcomes by restricting the rights of certain market participants deemed too powerful by the government. In fact, antitrust laws harm consumers by preventing the operation of the free-market, causing prices to rise, quality to suffer, and, as is certainly the case with the relationship between the HMOs and medical professionals, favoring certain industries over others.

By restoring the freedom of medical professionals to voluntarily come together to negotiate as a group with HMOs and insurance companies, this bill removes a government-imposed barrier to a true free market in health care. Of course, this bill does not infringe on the rights of health care professionals by forcing them to join a bargaining organization against their will. While Congress should protect the rights of all Americans to join organizations for the purpose of bargaining collectively, Congress also has a moral responsibility to ensure that no worker is forced by law to join or financially support such an organization.

Mr. Speaker, it is my hope that Congress will not only remove the restraints on medical professionals' freedom of contract, but will also empower patients to control their health care by passing my Comprehensive Health Care Reform Act. The Comprehensive Health Care Reform Act puts individuals back in charge of their own health care by providing Americans with large tax credits and tax deductions for their health care expenses, including a deduction for premiums for a high-deductible insurance policy purchased in combination with a Health Savings Account. Putting individuals back in charge of their own health care decisions will enable patients to work with providers to ensure they receive the best possible health care at the lowest possible price. If providers and patients have the ability to form the contractual arrangements that they find most beneficial to them, the HMO monster will wither on the vine without the imposition of new Federal regulations on the insurance industry.

In conclusion, Mr. Chairman, I urge my colleagues to support the Quality Health Care Coalition Act and restore the freedom of contract and association to America's health care professionals. I also urge my colleagues to join me in working to promote a true free market in health care by putting patients back in charge of the health care dollar by supporting my Comprehensive Health Care Reform Act.

IN OPPOSITION TO THE ONGOING WAR IN IRAQ

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Ms. SOLIS. Mr. Speaker, I rise tonight in opposition to the ongoing war in Iraq.

The Bush Administration has no plan to secure peace in Iraq and has refused to develop a comprehensive exit strategy which ensures the safe return of our troops. When our troops return home, this Administration also has refused to provide the care and services that our veterans need and deserve.

Since President Bush stood on an aircraft carrier to declare the end of ''combat,'' more than 13,000 troops have been injured—nearly half have sustained such severe injuries that prevent them from returning to combat. More than 1,730 servicemembers have died. These servicemen and women are more than just casualty statistics. They have families; they are mothers and fathers, sisters and brothers, daughters and sons. They have families, they are mothers and fathers, sisters and brothers, daughters and sons. And they all have Members of Congress who are supposed to represent their best interests.

I represent 10 brave servicemen who did not return to their families, nor the life they knew before the war. They are Marine Corporal Jorge A. Gonzalez, Army Sergeant Atanasio I Haromarin, Army Private First Class Jose Casanova, Marine Private First Class Francisco A. Martinez Flores, Army Specialist Leroy Harris-Kelly III, Marine Corporal Rudy Salas, Lance Corporal Benjamin M. Gonzalez, Lance Corporal Manuel A. Ceniceros, Specialist Private First Class Marcos O. Nolasco, and Corporal Stephen P. Johnson. These men, our fallen soldiers, are heroes.

I have many constituents serving our Nation in Iraq and around the world. Many of them do not even have their U.S. citizenship, yet they put their lives on the line in defense of our Nation. In fact, more than 50,000 green card soldiers are proudly serving this Nation as part of the U.S. military.

Our troops continue to do their commitment and duty to our country. However, this Administration and the military's leadership have failed in their responsibility to our troops. To date, there is no strategy to ensure that our troops return home. There is a $1 billion shortfall for veterans care. When these troops return home they are returning to a system that cannot care for them or provide the benefits they so greatly sacrificed for and deserve.

Ultimately, a successful Iraq is an Iraq run by Iraqis, not the U.S. military. We owe Iraqis a peaceful nation. And, we owe our troops a secure return home to a grateful Nation and a secure future. This mission will not be complete until each one of our servicemen and women are home, something I strongly believe needs to happen soon. Tonight I am proud to stand alongside my colleagues in honoring our fallen heroes. We owe it to them, their families and active service members at home and abroad to have a strategy to bring the troops home.

PERSONAL EXPLANATION

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. JONES of North Carolina. Mr. Speaker, on Friday, June 24, 2005, I missed several rollcall votes due to a family engagement in North Carolina. I ask that my absence be excused and the CONGRESSIONAL RECORD show that had I been present:

For rollcall No. 310—an amendment to H.R. 3010, I would have voted ''nay;'' for rollcall No.