Congress of the United States
Washington, DC 20515

September 25, 2009

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives
H-107, The Capitol
Washington, DC 20515

Dear Speaker Pelosi & Majority Leader Hoyer:

Thank you for your dedication to passing strong and effective health care reform. We especially appreciate your respecting our wishes to postpone a vote until after August so that we could use the district work period as an extended conversation with the American people. We took full advantage of this opportunity to hold town hall meetings with our constituents, visit health care facilities across our districts, meet with doctors, nurses, and other stakeholders and, most importantly, to carefully review the bill. We firmly believe that this experience better prepared us to tackle this difficult issue in the coming weeks and ultimately to deliver a better end product for the American people.

Over the past few weeks we have heard a spectrum of opinions from our constituents, ranging from those who support immediate passage of H.R. 3200, America's Affordable Health Choices Act, to those who oppose any sort of health care system reform. The concern of our constituents, regardless of their perspective, is undeniable, and those who raised legitimate issues deserve to have their opinions heard. To be clear, we recognize and support the need for significant reform to our health care system, and much of the input that we received reaffirmed our goals: lowering health care costs; increasing access; improving quality; protecting Medicare; and effectively covering the uninsured. After listening to ideas, concerns and suggestions from constituents over the course of the August recess, we suggest that the final draft bill incorporate the following:

- *Protecting Medicare and Extending the Solvency of the Medicare Trust Fund.* Health care reform must protect and strengthen Medicare. We support Medicare enhancements that increase reimbursements to physicians, accelerate closure of the prescription drug "doughnut hole" under Medicare Part D and empower Medicare to negotiate cheaper drug prices, expand options for aging at home, and broaden access for preventative care and routine exams by eliminating the out-of-pocket co-pays currently required of seniors. We also support eliminating waste, fraud, and abuse within the system in order to improve quality of care and maximize taxpayer dollars.

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- *Assurances of 100% Deficit Neutrality and Lower Costs from CBO.* Any health care reform legislation that increases our national deficit or debt is a non-starter for us. According to recent projections, the national debt has ballooned to $11.8 trillion; health care reform worthy of the American people should reduce, rather than increase, that staggering amount. In his address to a joint session of Congress last week, President Obama stated, "I will not sign a plan that adds one dime to our deficits, either now or in the future." We know you share his commitment to deficit neutrality, but we are concerned by Congressional Budget Office (CBO) reports indicating that the legislation currently moving through the House of Representatives falls short of this standard. We are committed to strengthening the cost-saving measures in the bill until the CBO certifies that the reform legislation will both be deficit neutral and "bend the cost curve" on health care spending in the out years. We were pleased to hear the President say he will put forth additional savings in his budget should projected savings fail to materialize. We support this higher standard of commitment to deficit neutrality, and consideration of including a triggered freeze on federal spending to guarantee our pledge.

- *Increased Competition Across State Lines.* If reducing costs is the key goal of these reforms, increased competition is the key component of reaching that goal. Our constituents suggested that interstate competition is an important way to increase the competitiveness and drive efficiency among insurers. We support allowing all businesses and individuals the opportunity to purchase insurance from entities beyond their state lines, consistent with the standards of the Exchange, to help meet our goal of greater competition and reduced paperwork. This can be successfully accomplished by immediately opening the Federal Exchange to everyone. Another suggestion along these lines would be to encourage states to form inter-state compacts to allow the sale of regular insurance products across state lines. This change can help create competition where monopolies or oligopolies now undermine competitiveness in many markets.

- *Reducing Litigation, Medical Error, and Overutilization.* There is strong support among medical providers and the general public for reducing both medical error and malpractice insurance premiums without limiting a patient's right to damages when errors occur. Though over 90,000 Americans die every year from preventable medical error, most efforts at "tort reform" have focused erroneously on capping damages in the small percentage of cases where an institution or provider has been found guilty. These politicized approaches have done little or nothing to reduce costs. Yet real reforms, such as "Certificate of Merit" provisions and "Early Offer" programs, have been shown to reduce both litigation and medical errors. We believe that serious reforms should be considered as part of increasing quality of care and reducing costs.

- *Every American should have the same quality of health insurance that we enjoy as Members of Congress.* If we mandate health insurance, we have an obligation

to ensure a range of affordable quality options equivalent to what we receive as Members of Congress.

- *Provision of incentives for wellness and preventive care.* Just as the bill rightfully bans exclusions and price discrimination based on pre-existing conditions, so too it should reflect incentives for healthy behavior. Cancer, heart disease, or diabetes could strike anyone at any time. As many studies have shown, however, people can reduce their risk profile by choosing to live a healthier lifestyle. Encouraging personal responsibility for living healthier lifestyles would significantly reduce costs, benefit consumers, and improve health outcomes.

- *Protection for small businesses.* We know that the fastest growing population of uninsured Americans is composed of those who have jobs but still cannot obtain or afford coverage. In most cases, these Americans are employed by the small businesses upon whose investment and innovation our economy depends. We appreciate your already addressing our concerns regarding the surcharge tax and further willingness to take our views into account on small business matters. CBO has estimated that the vast majority of small businesses will be net beneficiaries of health care reform, but we must allow the small business community to "run the numbers" for themselves. Therefore, we support the development of a "health care calculator" that would allow business owners to input factors appropriate to their situations and arrive at accurate estimates of how health care reform would impact their bottom line.

We came to Congress with a mandate for change. We came to Washington to put solving problems ahead of scoring political points, and to tackle the problems that neither party has been able to solve for a generation. We are ready to do our part in solving the great problems of our time, including energy independence, health care reform, and a 21st century security strategy. We are defined by a transformative pragmatism that asks first and foremost how we can solve the problem. The President eloquently addressed a Joint Session of Congress about the American character, which calls us at our best moments to step up to a challenge rather than run from it. We are ready to cast difficult votes if we are confident that they will set our great nation back on course towards economic stability and competitiveness and advance the cause of a more perfect Union. Coupled with that willingness, however, is a commitment to searching out the best ideas from our constituents and from across the political spectrum. The proposals above, along with others we have gathered from our listening tours, are worthy of consideration and could make the difference in shifting some of us to supporters of this landmark legislation.

In the spirit of last year's historic election, we did not come here to do what was easy but what was right. We look forward to working with to accomplish successful health care system reform that works for the American people. Thank you for your willingness to listen and for your consideration of these meritorious ideas.

Sincerely,

Tom Perriello

Frank M. Kratovil, Jr.

Jared Polis

Gerald E. Connolly

Steve Driehaus

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