

## **Hearings Begin On Courtney-sponsored Health Care Bill On Pre-existing Conditions**

Michael Gannon  
Norwich Bulletin  
4/24/09

A House of Representatives subcommittee held public hearings Thursday on a bill sponsored by U.S. Rep. Joe Courtney that would largely bar insurance companies from denying coverage because of pre-existing conditions.

“About 45 percent of all people have some sort of chronic condition or illness,” Courtney, D-2nd District, said Thursday in a conference call. “Many of them are in the individual health insurance market or are moving from one job to another or starting up a business. And they run smack into the chutes and ladders game of companies denying them coverage because of conditions that are identified as high-risk.”

He said parts of the individual and group health insurance markets are broken. He said his bill, backed by a list of 37 health care organizations, would not be a tremendous hardship on insurance companies because it would spread the risk.

U.S. Sen. Jay Rockefeller, D-W.V., has a companion bill in the Senate. Courtney hopes to have a bill on President Barack Obama’s desk for signature by the end of the year.

Courtney said some conditions, such as domestic abuse or previous Cesarean section childbirths, are “irrationally” classified as pre-existing conditions carrying high risk.

He acknowledged companies forced to take on patients with illnesses such as cancer, HIV or to take on the elderly are facing greater risk.

“There’s no question that (the bill) would have to be accompanied by reforms to the marketplace,” he said.

Nancy Andrews of the Connecticut Business and Industry Association said Thursday the association has not yet studied the bill enough to have an opinion.

“That has been more of a national issue that we have not been following closely,” she said. “But we will be studying it.”

## **Courtney Bill To Limit Denials Of Care Gets A Hearing In Washington**

Ted Mann  
The Day  
4/24/09

A House subcommittee heard testimony Thursday in favor of a proposal sponsored by U.S. Rep. Joe Courtney, D-2nd District, to prohibit health insurers from rejecting or imposing conditions on coverage based on individuals' pre-existing health conditions.

Courtney's bill has 27 cosponsors and the endorsement of a host of health-care organizations and physicians' groups. It was among a series of reform proposals under debate Thursday in the House Education and Labor Committee's subcommittee on health, employment, labor and pensions.

The proposal won praise from health reform advocates including Ron Pollack, executive director of the advocacy group Families USA, who said a restriction on insurers' efforts to drop or hike the cost of coverage for those who have previously required medical care was sorely needed.

The 1996 congressional effort to provide for those with continuing health coverage - the Health Insurance Portability and Accountability Act, known as HIPAA - left "gaps" in coverage, said Pollack.

"It didn't do anything about regulating premiums," he said. "And so you can be given the benefit of guaranteed (coverage), but if then you're charged an arm and a leg because you've got a pre-existing condition, that's not going to make coverage truly available to you."

In remarks to the subcommittee, Courtney referred to the "gusher" of supporting comments his office has received since introducing the bill, including from the American Heart Association and groups representing transplant surgeons, obstetricians-gynecologists and patients' advocates, all protesting what Courtney called "harsh discrimination" on the part of insurers trying to limit coverage for high-risk and potentially costly patients.

### **Denial criteria criticized**

A letter of support for Courtney's bill from the American College of Obstetricians and Gynecologists, which the congressman noted during the hearing, charged that insurers' denials have fallen disproportionately on women.

Those include denials of coverage to women who have delivered children via caesarean section, who have shown a record of prior pregnancies, or those who have been victims of domestic violence - all on grounds that these represent pre-existing health conditions, said the letter signed by the group's president, Dr. Douglas H. Kirkpatrick.

"In many instances a woman who has had a past Caesarean delivery is treated as someone with a pre-existing condition, although the likelihood of that resulting in any chronic cost is almost zero, as my wife would attest," Courtney said. "And domestic violence victims are also sometimes subject to pre-existing condition exclusions. It's barbaric. There's really no other way to describe the way this operates."

In a conference call with reporters following the hearing, Courtney defended what is anticipated to be a vigorous fight led by insurers against his proposal, and other aspects of

the Obama administration's planned \$634 billion, 10-year plan to reform the health-care system and the insurance marketplace.

The impending health-care debate, Courtney said, “really will pose the fundamental question that I think insurance reform creates. That is, what is the goal of insurance? Is it to pool risk, or is it to avoid risk?”

”A system that excludes people from coverage on the basis of illness or an injury is in the long run a system that's going to give way,” he said. “It's just untenable. ... People have had it with this, and I think the enlightened parts of the insurance industry understand that those days are over.”