

*Feb. 7 / Administration of George W. Bush, 2001*

that protects all Americans, does not override the patient protections already adopted by states, and avoids costly litigation.

I look forward to working with you and all Members of Congress to enact these principles into law as soon as possible. I also look forward to working with you to provide access to health care for the mil-

lions of Americans without health insurance.

Sincerely,

GEORGE W. BUSH

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Trent Lott, Senate majority leader.

### Letter to Congressional Minority Leaders on the Patients' Bill of Rights *February 7, 2001*

*Dear Leader:*

I am writing to discuss our shared goal of passing a strong Patients' Bill of Rights. Over the last two weeks my staff and I have met with Members of Congress from both parties, and I believe that we have an opportunity to work together to enact legislation this year to address this important issue. I am writing to ask for your support, and for the support of all Members of Congress, for a bipartisan Patients' Bill of Rights to provide all Americans with protections in managed care.

As Governor of Texas, I worked with Democrats and Republicans to enact some of the strongest patient protection laws in this country. My goal now in seeking Federal legislation is simple: I want to ensure that all patients receive needed medical care and that doctors are allowed to make medical decisions.

To achieve these goals, patients should have the right to an independent medical review of a health plan's decision to deny care. This review should be conducted by medical experts outside the health plan and must be binding on the health plan. I also believe that, following an independent medical review of a health plan's decision to deny care, patients who have been wrongly denied medical care should be allowed to hold their health plans liable in Federal court.

I cannot support a plan, however, that encourages unnecessary or frivolous litigation. Expensive litigation, and the resulting rise in health care costs, would only make it more difficult for Americans to afford health care coverage in the first place. I believe it is possible to provide patients a meaningful remedy when they have been wrongly denied care, without causing other Americans to lose coverage. A responsible remedy for patients should protect employers from the high costs of being subject to multiple causes of action in multiple venues and should provide a reasonable cap on damages.

I have enclosed the principles by which I will gauge any piece of Federal legislation. I do not believe that any bill currently before the Congress meets all of these principles. However, I applaud the efforts of Members on both sides of the aisle who have stepped forward to address this issue. I believe we can work together to reach bipartisan agreement this year on a strong Patients' Bill of Rights that protects all Americans, does not override the patient protections already adopted by States, and avoids costly litigation.

I look forward to working with you and all Members of Congress to enact these principles into law as soon as possible. I also look forward to working with you to