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News from

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STATEMENT BY ATTORNEY GENERAL ELIOT SPITZER REGARDING INSURANCE LEGISLATION PENDING BEFORE CONGRESS

A new health insurance bill moving through the Congress would be a disaster for many New York health care consumers and must be opposed.

This bill, (S.1955), has several critical flaws:

First, the bill paves the way for federal preemption of important consumer protections, such as the right to an external appeal of a health plan's denial of care. Without this right, consumers would face greater difficulty in challenging health plan rejections of their coverage requests.

Second, the bill would undermine states' rights to set community rating rules, which help prevent insurers from varying premiums based on health status, age, gender and geography. As a result, many retirees not yet eligible for Medicare and many people with chronic health conditions could find themselves priced out of the health insurance market.

Third, rather than encouraging preventive care, which is a key to reducing costs in the system, this bill could result in a proliferation of health plans that do not provide preventive benefits such as breast and cervical cancer screening, diabetes monitoring and well-child visits.

We must act to solve the nation's health care crisis of accessibility, affordability and accountability.

But this legislation is not the answer. It eliminates many of the protections that consumers enjoy without addressing the underlying problem of cost containment through enhanced preventive care. This bill is not well-conceived and I urge the state's Congressional delegation to oppose it.

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