



# WVAHC

# Reform News

West Virginians for Affordable Health Care

Volume 3

Winter 2009

Issue 4

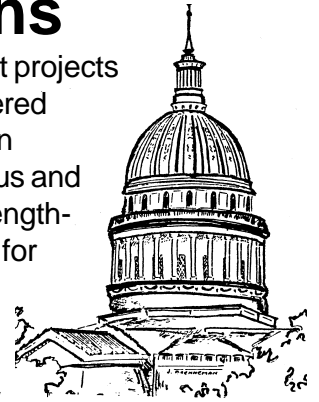
## Legislative Interim Committee Adopts Health Care Reform Recommendations

Select Committee D, the legislative committee established to study comprehensive health care reform options, unanimously adopted the recommendations of Ken Thorpe. Thorpe is a health care economist hired to facilitate the legislature's consideration of health care reform options. Thorpe convened four work groups (system restructuring, health information technology, wellness and system simplification) that worked through the summer and fall to make recommendations.

Recommendations made by Thorpe and adopted by Select Committee D include:

- Establishing a program to provide physical exams and health screens to uninsured West Virginians. All persons diagnosed with six serious medical conditions — cancers, diabetes, heart disease, hypertension, stroke, or pulmonary conditions — and earns less than 250 percent of the federal poverty level (about \$26,000 for a single person and \$53,000 for a family of four) “should” receive treatment. This proposal is patterned after the successful Center for Disease Control and Prevention’s (CDC’s) Breast and Cervical Cancer Treatment Program. Under this program women are screened for breast and cervical cancer. If cancer is detected, they receive a Medicaid card so they can obtain treatment. It is unclear if West Virginia’s Medicaid program could receive a waiver from the federal government to add the additional diseases proposed by Thorpe to the breast and cervical treatment program, or whether the screens and treatment of these diseases would be paid for through a state program (for example, PEIA).

- Establishing a series of pilot projects to determine if patient-centered medical homes (PCMH) can increase patient health status and decrease costs. PCMH strengthens primary care by paying for patient education and care coordination in community health centers and physician offices. Many experts believe that PCMH can achieve the promise of lowering cost and improving health status, while others remain unconvinced. So, adopting pilot projects makes sense.



Under Thorpe’s recommendation small physician offices would receive assistance through “community health teams.” These teams would include social and mental health workers, nurse practitioners, and care coordinators, and would focus on coordinating care for patients that have multiple chronic illnesses and helping patients to quit smoking, improve their diet and exercise more. Community health teams have been very successful in reducing the cost of Medicaid in North Carolina.

- Providing tax incentives to small businesses. Small businesses with 25 or fewer employees that have not offered health insurance to their employees for a year would be eligible for tax credit of up to 50 percent of the cost of private insurance benefit. Thorpe projects that under this proposal 60 percent of West Virginia’s uninsured would be eligible for a discounted insurance policy.

(Continued On Page 2)

## Interim Committee Adopts Health Care Reform Recommendations

Continued from page 1

- Offering state assistance to physicians and hospitals to adopt health information technology. Electronic medical records have the potential to reduce duplication in x-rays and lab test and improve patient safety. For example, electronic prescribing, which is essentially emailing a prescription to your pharmacists, eliminates hand-written prescriptions, which greatly increases patient safety. The goal is to have 50 percent of physician using electronic medical records within 3-years. This is a very aggressive goal, but one that may be greatly enhanced by president-elects Obama's economic stimulates plan.
- There were several wellness initiatives proposed, including requiring chain restaurants to disclose to consumer the number of calories in the food the chain sells. "Menu labeling" has been shown to change consumers' behavior when they understand how many calories are in a Whopper or Big Mac. This proposal is likely to draw active opposition from restaurant owners.
- The report outlined several "options" on ways to pay for expanding coverage to the uninsured and the other changes, although there was no


recommendation. The most important option listed is to raise the tobacco tax to the national average. Currently, West Virginia taxes cigarettes at 55¢ per pack. Raising the tax to the national average of \$1.20 per pack would raise almost \$110 million. Even more importantly, it prices many teenagers out of the market for purchasing cigarettes. For every 10 percent increase in cigarette taxes, consumption by teenagers decreases by 4 percent. There is no other public policy that will provide teenagers with longer, more productive lives than raising tobacco taxes. This option, like the menu labeling proposal, will face significant opposition.

The proposals by Thorpe are a significant step towards providing services to uninsured West Virginians and reforming our delivery system. The current system is fragmented and focuses on high tech, high cost procedures. Strengthening primary care, focusing on prevention, and providing assistance to people with chronic illnesses, so they can manage their illnesses, are essential if costs are going to contain. And containing cost is vital, if we are going to be successful in expanding care to the uninsured.

The full report by Thorpe is posted on WVAHC's web site, [www.wvahc.org](http://www.wvahc.org).

How can you help? There are four actions that you can take. First, register for WVAHC's free eUpdates. We send out eUpdates weekly during the legislative session and periodically during the rest of the year. This is a great way for you to receive up-to-date information about health care reform and recommended action to impact the debate. You can register for the eUpdates on WVAHC's web site.

Second, write to your Senators and Delegate(s) and urge them to support meaningful health care reform. Your letter will have more impact if you can relate your personal experience to your elected officials. The list of the current state Senators and



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(Continued On Page 3)

# President Obama's Appointments Signal Health Care Reform

As we go to press, the House of Representatives has passed and the Senate is considering reauthorization of the Children's Health Insurance Program (CHIP). The reauthorization of CHIP may well be the first bill signed into law by President Obama, and marks a stark contrast to President Bush, who twice vetoed reauthorization of CHIP legislation.

In addition to the reauthorization of CHIP, President-elect Obama's economic stimulus plan is likely to include major increases in Medicaid funding and funding for electronic health records. The funding for electronic health records could be

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## Interim Committee Adopts Health Care Reform Recommendations

Continued from page 2

House of Delegate members' home addresses can also be found on our web site.

Third, host a house party for WVAHC. WVAHC is happy to come to your house and talk with your friends and neighbors about health care reform options, and how they can be involved in bringing about change. Contact Perry Bryant at [pbryant@wvahc.org](mailto:pbryant@wvahc.org) or 304-344-1673 to arrange a time and date for a house party.

Four, if you are not already a member, become a WVAHC member. If your membership has lapsed, please renew it today. If you are already a member, encourage your colleagues or neighbors to also be a member. There is a membership form on page 6.

**This is the year to make health care reform a reality. Please be a part of this important effort. Thanks.**

more than \$50 million over a two-year period for West Virginia.

Appointments by President-elect Obama clearly indicate that his administration is prepared to aggressively pursue health care reform. Senator Tom Daschle was appointed to be Secretary of Health and Human Services (HHS) **and** Director of the White House Office of Health Reform. In the 1990s when President Clinton proposed health care reform, there was friction between HHS and the White House. The appointment of Daschle to both positions is a clear indication that President Obama has learned from the Clinton mistakes.

Daschle brings Jeannie Lambrew as his assistance to the White House position. Ms Lambrew has written extensively about the need to put prevention, wellness and chronic disease management at the center of any health care reform effort. Having someone with her expertise will be an invaluable asset as health care reform proceeds.

Peter Orszag as Director of the Congressional Budget Office concluded that the cost of our health care system is "unsustainable." He urged Congress to establish comparative effectiveness studies to determine what technology should be adopted and what technology should be discouraged as clinically ineffective. Orszag will head President Obama's Office of Management and Budget and is likely to play a critical role in proposing cost containment strategies and other health care reform measures.

These are all stellar appointments. It is clear from these appointments that President Obama is prepared to take on the difficult task of reforming our health care system. Please keep informed by registering for our eUpdates.

# WVAHC Bylaw Changes to Be Considered

The WVAHC Board of Directors will meet to consider changes to the WVAHC Bylaws on Tuesday, February 17, 2009 at 5:30 PM at the West Virginia Education Association offices (1558 Quarrier Street, East, Charleston, West Virginia). All WVAHC members are welcome to attend and make comments on the proposed changes. Major proposed changes include the following:

- WVAHC would change its tax status from a 501(c)4 organization, which is a civic organization that can engage in unlimited lobbying activity, to a 501(c)3 organization, which is a charitable organization with limits on lobbying and political activity. Contributions to 501(c)3 organizations are tax deductible.
- How Board members are selected is proposed to be changed. Currently, WVAHC members who attend the annual membership meeting elect officers and members at-large to the Board of Directors. Under the propose change the Board members will be elected by the Board and be subject to three three-year term limits. The length of a Board term is changed from two years to three.
- Board members who miss three, unexplained Board meetings within a calendar year may be removed from the Board.
- A quorum of the Board is reduced from 50 percent to 40 percent.
- Indemnification of the Board is more comprehensive and explicit.

The sections of the Bylaws that will be considered are printed below. Language that is being proposed to be added is underscored and language with strikethrough indicated language proposed to be deleted.

**Article 1, Section 2: Internal Revenue Service Status**  
WVAHC ~~shall operate~~ is organized exclusively for charitable, educational and scientific purposes under section ~~as a 501(c)43 organization as defined by~~ of the Internal Revenue Service, or corresponding section of any future federal tax code.

### Article III: Sustaining Members and Dues

Any person who supports the purposes of WVAHC is eligible to be a sustaining member. Membership dues shall be established by the Board of Directors. A sustaining member's failure to satisfy his or her dues obligations may lead to termination of membership status. ~~if the Board of Directors so elects.~~

### Article IV, Section 1: Annual Meeting

An annual meeting shall be held each October. Every sustaining member of WVAHC will receive notice of the

time, date and place of the annual meeting at least thirty days prior to the meeting. ~~Every member is entitled to participate in the annual meeting, and has the right to vote on all business considered during the annual meeting. Every member may cast one vote, and only one vote, on each issue raised and voted on at the annual meeting. Members cannot vote by proxy.~~ During the annual meeting, the existing members of the Board of Directors shall elect the officers and the members-at-large of the Board of Directors, approve the annual budget of WVAHC, adopt any changes in WVAHC Bylaws, ~~and~~ adopt public policies consistent with the purposes of the organization and take such other action as the Board shall deem necessary and in the best interest of WVAHC..

A quorum shall be ~~the number of members presents~~ forty percent of the Board of Directors.

During the ~~2006~~ 2009 annual meeting the members of the Board of Directors shall elect a President for a ~~and~~ Secretary who shall serve one-year terms and a Vice President for a two-year term ~~and~~ a Treasurer and Secretary to a three-year who shall serve two-year terms. ~~Also during the 2006 annual meeting the members shall elect persons to six and twelve Board of Director at-large whose terms of office shall be staggered so that four shall serve one-year terms, four shall serve two-year terms, and four shall serve three year terms. positions for two-year terms and to five Board of Director at-large positions for one-year terms. No Board of Directors may serve more than three three-year terms on the Board.~~

### Article IV, Section 2: Board of Directors

#### Subsection a. Composition of the Board of Directors

The Board shall consist of three classes of members: officers, Board members-at-large and organizational Board members.

#### Subsection b. Powers

The powers of the Board of Directors shall include the following:

1. The Board may employ staff as provided for in the budget and as may be necessary to accomplish the purposes of WVAHC.
2. The Board shall adopt guidelines, policies, and procedures relating to the operation and conduct of the affairs of WVAHC. ~~Provided, that these guidelines, policies, and procedures cannot contradict a public policy properly adopted by the membership at an annual meeting.~~

(Continued On Page 5)

## WVHAC Bylaw Changes to Be Considered

(Continued from page 4)

3. The Board may make changes to the budget approved ~~by the members during the most recent annual meeting.~~
4. The Board may, within the limitations of the Bylaws, take any action that in its judgment may be necessary to effectuate the purposes of WVAHC.

### Subsection d. Board of Directors Members-at-Large

There are ~~eleven~~ twelve individual Board of Directors members-at-large elected ~~by members during the annual meeting or by the Board of Directives to fill a vacancy whether the vacancy is created by resignation, death, removal, or expansion of the Board of Directors.~~ The number of members-at-large may be increased or decreased if recommended by the Board of Directors and approved by the members at an annual convention.

### Subsection f. Terms of Office for Officers and Members-at-Large

The term of office for officers and members-at-large other than those elected at the ~~2006~~ 2009 annual meeting shall be ~~two~~ three years and shall begin on December 1 following the adjournment of the annual meeting at which the officers and members-at-large were elected and shall end November 30 ~~two~~ three years after assuming duties.

### Subsection g. Vacancies

If an officer, other than the President, or a member-at-large, ~~other than an organizational seat,~~ resigns or otherwise is unable to fulfill his or her term of office, the vacancy shall be filled by a majority vote of the Board of Directors at their next meeting following the resignation or removal. If a Board of Directors member is absent without explanation for three Board meetings within a calendar year, his or her position may be deemed vacant and the Board of Directors may remove the Board member from the Board of Directors by majority vote. If a vacancy occurs with an organizational seat, the organization shall appoint someone to fill the ~~position remainder of the term.~~

### Subsection h. Meetings

The Board of Directors shall meet at least quarterly. Except in emergency situations, the Secretary shall provide notice to every Board member of the place, time and date of the Board meeting at least seven days in advance. Special meetings may be called by the President or on the written request of three Board members. Any sustaining member may attend any Board meeting and shall be afforded an opportunity to address the Board. Meeting dates, time and places shall be posted on WVAHC's web site. Any changes in the date, time or place of a scheduled Board meeting shall be posted on WVAHC's web site at least seven days prior to the new Board meeting.

### Subsection i. Attendance, and Voting and Quorum

Board members may attend either in person, ~~or~~ by teleconference or other electronic means. Every member shall have one vote, and proxies are not permitted. Forty percent of the total number of directors then serving shall constitute a quorum for the transaction of business at any meeting of the board.

### Subsection j. Indemnification

~~Any officer, director or employee of the organization shall be indemnified and held harmless to the full extent allowed by law.~~

The corporation shall indemnify all persons who have served or may serve at any time as officers or directors of the corporation, and their heirs, executors, administrators, successors, and assigns, from and against any and all loss and expense, including amounts paid in settlement before or after suit is commenced, and reasonable attorneys' fees, actually and necessarily incurred as a result of any claim, demand, action, proceeding, or a judgment that may be asserted against any such persons, or in which any such persons are made parties by reason of their being or having been officers or directors of the corporation. However, this right of indemnification shall not exist in relation to matters to which it is adjudged in any action, suit, or proceeding that any such persons are liable for negligence or misconduct in the performance of their duty, and, in any such case, the right to indemnification shall be subject to the approval of a majority of the disinterested directors. Moreover, nothing contained herein shall be construed as providing indemnification to any person in any malpractice action or other proceeding arising out of or in any way connected with such person's practice of his/her profession.

### Section 5: Amendments to the Bylaws

~~These Bylaws may be modified by a majority vote during an annual meeting following at least thirty-day notice to all members. Or the bylaws may be amended by a vote of two-thirds of the Board of Directors in attendance at a regularly called meeting, provided that at least one month prior to the meeting, notice of the meeting including the day, time and place and the proposed bylaws amendment(s) shall be published and distributed to all sustaining members and all members of the Board of Directors.~~

These amended Bylaws were adopted by the ~~members at the 2007 annual meeting on October 20, 2007~~ WVAHC Board of Directors meeting on February 14, 2009.

# Membership Form

West Virginians for Affordable Health Care

**Yes, I want to be a part of helping to reform health care in West Virginia.**

Enclosed is my contribution for \$50\_\_\_\_ \$75\_\_\_\_ \$100\_\_\_\_

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City:\_\_\_\_\_ State:\_\_\_\_\_ Zip \_\_\_\_\_

Email Address : \_\_\_\_\_

(Please print clearly)

I would like to volunteer for WVAHC. Please contact me.

Please return your membership form to:

WVAHC, 1544 Lee Street, Charleston, West Virginia 25311.

--Thank you!

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