

The time has arrived to help millions of Americans living without a full measure of opportunity to achieve and enjoy good health... and [to have] protection... against the economic effects of sickness.

- HARRY S. TRUMAN, 19 SEPTEMBER 1945

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WMC Wrong on Health Care and Attorneys

By Jack E. Lohman
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Somehow it doesn't surprise me that Wisconsin Manufacturers Commerce opposes the recent state Supreme Court decision that declared the limits on malpractice awards unconstitutional and that lead paint trials can move forward. WMC was extremely quick to take the side of its business, health care and insurance members, but to the detriment of the public. WMC is wrong on a number of accounts.

Indeed the malpractice and health care systems need fixing, but removing physician and hospital accountability and victim protection is not the way to do it. Two wrongs don't make a right, though it does get certain WMC members off the hook at the expense of their business members and the public.

Let's dispense with a major myth: it is true that health care costs are rising at five times the rate of inflation, but the malpractice industry is not the monster driving the system. Having been a health care provider for 25 years before retiring in 2004, I'm as testy toward trial lawyers as the next guy. But this one is not their doing, and WMC should look inward to its own health care members for the solution.

Malpractice awards have remained essentially flat for five years at less than 0.5% of our state's total health care costs. But insurance premiums have soared by 120% because of a runaway insurance industry that is allowed to make up its losses incurred elsewhere. Besides, only 9 awards in the last 10 years exceeded the cap we would have had in place. Most awards are settled out of court because doctors won't testify against doctors.

Rising health care costs are the result of only one thing, a medical community that has switched from being humanitarian centers to for-profit corporations. The industry is running amok. They are inefficiently operated and they love it, because inefficiency is where they make their profits.

Both Medicare and private insurers are incurring 20% to 30% of their costs from unnecessary and inappropriate medical testing, and another 30% in exorbitant administrative waste (compared to Canada's 8% and Medicare's 3.5%). Wisconsinites are supporting 400 for-profit insurance companies compared to the ONE non-profit in each Canadian province.

It is true that jobs are leaving Wisconsin, but it's because of runaway health costs and not because of attorneys. That will not change under the Supreme Court ruling. If WMC really wants to get behind its manufacturing members (and the public at the same time), it will sideline its health care and insurance members and support a universal health care system like that in Canada, one which would also cover the 15% of our uninsured population.

To cover health care costs in Canada, their employers pay only a small per-employee tax of \$800 and the taxpayers pick up the rest. They use one medical administrator, like Medicare uses WPS in our state. All physicians and hospitals remain independent and patients keep their physician choice.

We don't have to have the wait times that they do; we don't with Medicare and we can properly fund any universal system we develop. Over 90% of Canadian patients prefer their system to ours, and only a handful per year come to the states to speed up elective surgeries. Another handful of physicians move south because they can become millionaires here and not there.

So what would happen with the jobs WMC claims will leave the state? With a repaired health care system the nation's second-highest health care costs would drop to the lowest, our malpractice costs would remain at the lowest in the nation, more manufacturers would move to and stay in Wisconsin, workers would immigrate and state tax revenues would increase, unemployment would decrease, WMC membership would increase, and patients would increase for the medical community.

So, WMC, what's not to like about this fix?

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