

Power to patients

Arizona HMO bill is the right mix of reform and caution

There are dozens of ways to "reform" health maintenance organizations in ways that would ultimately hurt patients or even kill HMOs. There are precious few ways to do it right, so that patients as well as HMOs are protected.

The Arizona Legislature appears to have done it right. A compromise bill spearheaded by Rep. Barbara Leff, R-Paradise Valley, has won overwhelming support from her colleagues and now sits on Gov. Jane Hull's desk.

The measure provides some important protections for patients who often don't have much if any choice of health-care providers. If they don't like the treatment they're getting, would like a second opinion or would like to appeal a questionable denial of service, they're stuck.

Leff's bill would stop much of that nonsense. Doctors would be able to go to bat for their patients without fearing retaliation from the bean counters in the executive suites. They'd be able to prescribe potentially life-saving drugs for their critically ill patients even if those medications weren't approved by the bean counters.

Patients also would be able to sue their HMO for harm suffered if treatments were wrongfully denied or delayed. But they could do so only after they'd exhausted administrative appeals, and even then they'd have to prove their HMO acted in bad faith.

It's a tough but reasonable condition that prevents a flood of frivolous litigation against HMOs that would drive up premiums and prompt more businesses to drop employee coverage. (The conditions disappoint some trial lawyers who've been salivating at the prospects of going after HMOs like they went after tobacco com-



The only significant flaw in the bill is a requirement that Arizona HMOs make **chiropractic services** available to all their patients. With the proliferation of treatments available these days, government shouldn't be dictating which ones HMOs provide.

Blue Cross Blue Shield, the largest Arizona health insurer, doesn't like the measure's requirement that it reimburse providers rather than patients, but that stipulation hardly seems unreasonable. And it would eliminate a real financial hardship for some patients who can't afford to write a fat check for services and then wait for Blue Cross Blue Shield's paper shufflers to get around to reimbursing them.

All in all, this is a sound measure that deserves to become law. Gov. Hull, who's voiced some misgivings about the lawsuit portion of the bill, says she'll probably let it become law anyway without her signature.

Good. Arizonans deserve the reasonable protections contained in this