A page out of Twain’s book

Author surely would have concurred with Obama’s bypass strategy for Berwick

More than a century ago, Mark Twain declared that “there is no native criminal class except Congress.” He would have understood instantly why President Barack Obama resorted to bypassing the Senate and using a recess appointment to install patient-safety advocate Donald Berwick as administrator of the CMS. While the country has progressed in so many ways since Twain’s times, the Congress of the United States continues to wallow in willful ignorance and run up a historically high price tag for corruption.

Republican senators had made it clear they would use Berwick’s nomination like the ball in a World Cup soccer game. Their ostensible beef was Berwick’s praise of the British healthcare system, specifically its approach to rationing care. “Rationing” is a word some politicians like to throw around to scare people, particularly senior citizens who fear they may be dispatched to the next world before their time.

In fact, private and public payers in this country ration care every day. Another word for it is “budgeting.” We assess how much money is available and decide the best way to spend it. Another form of rationing in this country is also common in the Third World: If you can’t afford care, you don’t get it. Or you can at the cost of bankruptcy.

Berwick’s mistake was to opt for honesty and reject the political cliches of rationing. He said it was rational for Britain to take a scientific approach to resource utilization in its National Health Service. It tries to determine what treatments are effective, which aren’t, and put its money on the former.

Again, we ration all the time in the U.S., but we employ verbal and logical contortions to deny the truth. We ration, but we don’t do it rationally, based on science and analysis. We do it in arbitrary, capricious and often cruel ways.

Hearings on Berwick’s nomination could have been an opportunity for the American people to learn more about patient safety, comparative effectiveness research and the challenges of implementing the health reform legislation passed this year. It’s the last item that is at the root of the Berwick problem. GOP senators wanted to use the hearings as another opportunity to trash the reform plan and Obama.

There’s more than a little irony in this because what the Democrats passed is a Republican plan. A health system built around private insurance market exchanges was proposed by conservatives two decades ago. But the Republican lawmakers were not interested in anything Obama would endorse even if it was something their camp created. The real object was to destroy Obama politically.

Lawmakers also might have raised some legitimate questions about Berwick’s work at the Institute for Healthcare Improvement and claims about how many people have actually been saved by the 100,000 and 5 Million Lives campaigns (June 19, 2006, p. 8). But matters of substance don’t attract much attention in Congress, where Democrats and Republicans have plunged the institution into dysfunction. The CMS has gone without an administrator since 2006. Any single senator can hold up a nomination—sometimes scores of them—merely to force a deal on an unrelated matter.

The tragedy is that as Americans in the 21st century struggle with new and rapidly pressing problems, Congress refuses to evolve into a higher life form. A recent book about Congress by two political scholars dubbed it The Broken Branch. The prime directive in politics today is to raise enough money by pandering to special interests and/or wacky but energized constituencies to save your political seat.

In “The Dark Knight” Batman movie, the Joker proclaims “This city deserves a better class of criminal.” Twain would add that this country deserves a better class of Congress. Healthcare providers could help themselves and their fellow Americans by rationing their votes and spending them on candidates who are dedicated to serious governing and a rational approach to health policy.

OTHER VOICES

“The White House respect for the public’s healthcare views dropped another notch, if that’s possible, with its recess appointment of Donald Berwick. Circumventing Senate confirmation to install the new Medicare chief is part of the same political willfulness that inflicted ObamaCare on the country despite the objections of most voters. ... Some Republicans have argued that Dr. Berwick is too radical and partisan, but that’s not why his appointment deserves debate. The problem is that his views are conventional. They are typical of the philosophy of the modern health-policy left. ... Such a command-and-control vision is widespread among America’s technocratic medical left, but it is increasingly anachronistic amid today’s breakneck medical progress. ... This is nonetheless where Dr. Berwick, in his bureaucratic wisdom, will look for ‘savings.’ ... So no wonder the White House wanted to dodge a public debate and Senate vote on Dr. Berwick. He’s a too obvious reminder of the price controls and care restrictions that are inevitable with ObamaCare.”

—Wall Street Journal

“President Obama made a sensible move when he bypassed the Senate and appointed Dr. Donald Berwick. ... Republican senators had made it clear that they would use confirmation hearings to distort his record and rehash their arguments against the recently enacted healthcare reforms, mostly to score political points for the November elections. ... He has been endorsed by three predecessors who held the same job in Republican administrations. Even so, some Republican senators have portrayed Dr. Berwick as a proponent of socialized medicine because he has expressed great admiration for Britain’s National Health Service. They also call him an advocate of rationing care and even suggest he favors ‘death panels,’ a politically potent falsehood. Yet Dr. Berwick spoke an obvious truth when he declared that ‘the decision in not whether or not we will ration care—the decision is whether we will ration care with our eyes open.’ ... There is no telling when or whether the Senate would have been ready to confirm Dr. Berwick. The job is too important to leave open any longer.”

—New York Times