THE SHENANIGANS OF HEALTH CARE

August 11, 1994 *by Phyllis Schlafly*

The woman who doesn't like to be called First Lady has used her First Lady position to get by with actions that no other man or woman could get by with. If it were not impossible to fire her, she would have long since followed Bernard Nussbaum, Webster Hubbell, and David Watkins out of town.

With great fanfare at the start of his Administration, President Clinton announced that Hillary Rodham Clinton had accepted the challenge of developing his Administration's national health care policy. Oh, the glory of it all - to be in charge of our nation's number-one domestic issue!

She promptly proceeded to act as though she didn't have to obey the laws that were written for mere mortals. While Congressmen fell all over themselves seeking photo ops with her, a lawyer for the Association of American Physicians and Surgeons (AAPS), Kent Masterson Brown, kept doggedly at the task of trying to get the courts to rule that Mrs. Clinton is not above the law.

Brown's 18 months of legal work paid off when U.S. District Court Judge Royce C. Lamberth ordered a trial to start September 12, at which Hillary Rodham Clinton and her chief deputy for health care, Ira Magaziner, must testify under oath.

The law in question, the Federal Advisory Committee Act, requires federal task forces and working groups to meet in public if they include both federal employees and persons who are NOT federal employees. The principle behind that law is very sound.

If all the members of a task force or working group are government employees, they can meet behind closed doors because they are presumed to be doing what they are paid for. But if the meetings include both federal employees and outside groups, the public has a right to know who attends so we can expose their conflicts of interest and judge whether or not the government's decisions were influenced by special interests.

But Mrs. Clinton surrounded her Health Care Task Force and its Working Group - the membership, the actions, and the records - with a veil of secrecy. For a year and a half, the White House and Justice Department lawyers defending Mrs. Clinton concealed the names of about 350 non-federal employees of the Working Group by the subterfuge of calling them fulltime "special government employees and consultants."

Now the Justice Department lawyers have completely changed their story and admitted that Mrs. Clinton's Working Group was largely made up of representatives of special interest groups. The new rationalization for keeping everything secret is that the Working Group had no influence with President Clinton, that the participants were just an "anonymous horde" of persons brainstorming ideas.

The trouble with the new story is that Ira Magaziner is already on record as telling the court how important and influential the Working Group was. He told the court that

"the President announced" its creation, that its participants "examined alternatives" to be considered, that it was preparing comprehensive health care reform legislation, that "coordination" was essential, and that the results of the Working Group's actions would be presented to the Administration through seven so-called "tollgates."

The Working Group's documents that have already been released under court order make abundantly clear why the White House resorted to legal chicanery to keep everything secret, even in the face of AAPS's lawsuit. Those 350 non-federal employees on the Working Group represented special interests that stood to reap financial gain from a federal takeover of the entire health care industry.

The most notable examples of these special interests were representatives of the Kaiser Family Foundation, the Robert Wood Johnson Foundation, Aetna and Prudential, all of which are aggressive promoters of Managed Care. Managed Care is the system of having bureaucrats (instead of doctors and patients) control all health care spending and treatment.

AAPS's lawsuit has also exposed the deceit of the White House claim that it spent only $100,000 on this project when, in fact, the cost was somewhere between $4 million and $20 million. And now the White House is arguing that all that expenditure of taxpayer funds and all those meetings didn't mean anything! Were Hillary's Task Force and Working Group just a hoax?

The bottom line of all this is that the Clinton Administration can't be trusted to tell the truth to the American people about health care. That's why Clinton's spin doctors told him to rechristen his plan as the Gephardt-Mitchell plan in the hope that the American people will be deceived.

But that won't wash because the staffers who are writing the Gephardt-Mitchell plan are the same ones who worked on the Clinton plan. At least 69 staff members from liberal Democratic Congressional offices and at least 43 staffers from liberal Democratic Senators' offices were part of Hillary Rodham Clinton's secret Working Group.

Incidentally, all Republican staffers were excluded from the Working Group, so Clinton's appeals for "bipartisanship" are as phony as his campaign promise to cut taxes on the middle class.