

The Washington Post

More on End-of-Life Counseling

Friday, September 4, 2009

Regarding Ingrid Komar's Sept. 1 Health commentary, "Nothing to Get Scared About":

Ms. Komar wrote that under H.R. 3200, Medicare will cover end-of-life counseling and "medical professionals you choose would provide advice and guidance; you would be free to follow or to ignore it or not consult them at all." Wrong. Simply providing coverage would have taken one or two lines in the bill, not six pages.

The bill lists what "shall" be covered in the consultations, a decision that should be left to the patient and doctor, not prescribed by government. The bill's partisans say the consultation sessions are voluntary. But if there is a penalty for noncompliance, then it is not voluntary, regardless of whether the word mandatory is used. The penalty is on page 432. Doctors' quality ratings will be determined in part by the percentage of doctors' patients who create living wills and the percentage who adhere to them -- and quality ratings affect a doctor's Medicare reimbursement.

The "adhere to" part is especially dangerous. Some people say they'd rather die than be on a ventilator, but when the time comes, they choose to live.

Doctors will incur penalties when situations change and a living will is not adhered to. As a patient advocate, I see these difficult situations and know that government should not be involved.

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