

**(Washington, D.C.) – Congressman Wally Herger (R-CA), Delegate Donna Christensen (D-Virgin Islands), and Congressman Charles Boustany (R-LA) announced the introduction of H.R. 2824, the Doctor-Patient Relationship and Research Protection Act, a bill to prevent bureaucratic interference in health care decisions that should be left up to the patient and their doctor. As part of the economic stimulus bill, Congress set up a new federal agency to fund "comparative effectiveness research" to evaluate the effectiveness of various medical treatments. Herger's statement follows below:**

“As we move forward in the debate over how to best reform our health care system, it is absolutely essential that we protect the relationship between patients and their doctors. Most people agree that comparative effectiveness research is a valuable tool for getting better health care information into the hands of doctors and patients, but it must not be used to deny coverage for needed health care because of a cost-based decision by Washington officials.

“House Democrats showed the probable direction of this program under their vision for a public plan. An early draft of the economic stimulus bill suggested that medical treatments ‘found to be... more expensive will no longer be prescribed.’ Britain, which has already implemented CER, has blocked cancer patients from getting potentially life-saving treatments because they are deemed ‘too expensive.’

“That isn't what health care in America should be about. Health care must be about providing quality treatment at an affordable cost based on patient choice, not bureaucratic decision making. President Obama has said that comparative-effectiveness studies should ‘not [be] an attempt to micro-manage the doctor-patient relationship.’ I agree. Our bill recognizes that different individuals have different health care needs. It would ensure that CER takes into account America's diversity and variations in the effectiveness of medical treatments across different populations and ethnic groups. The bill requires transparency to keep Washington officials from making health care decisions behind closed doors, and gives patient groups and physicians a seat on the governing board of CER. Simply put, it keeps the focus of health care on the two most important people in the system – the patient and their doctor.”

### **Background:**

The Herger-Christensen legislation would:

- Prohibit the federal government from making cost-based coverage determinations based on comparative effectiveness research
- Reconstitute the board overseeing comparative effectiveness research to include physicians and patient advocates
- Require federally conducted comparative effectiveness research to be transparent and allow public comment
- Direct the comparative effectiveness research agency to take into account variations in the effectiveness of medical treatments across different populations and ethnic groups
- Provide an expedited appeals process for physicians if Medicare denies coverage for a medical treatment for reasons unrelated to comparative effectiveness research

###