



WVAHC *Reform News*

West Virginians for Affordable Health Care

Volume 2

FALL 2007

Issue 3

President Bush Threatens to Veto SCHIP

Negotiators are putting the finishing touches on children's healthcare legislation, with lawmakers agreeing to a slightly modified version of the Senate's more modest State Children's Insurance Program bill.

Senate Finance Chairman Baucus predicted that the Senate would be required to take a second vote on its package because of changes that the House will make when it votes on a SCHIP reauthorization next week. A House vote is expected on Tuesday, September 25 and the Senate vote later that week.

Senator Jay Rockefeller, who helped write the Senate package, said Senate negotiators have agreed to a "couple of minor" changes to the Senate bill sought by house members, "but nothing that gets away from the basic principles." Baucus said the deal would not go above the Senate's funding level of \$35 billion in new money for SCHIP.

The bill is expected to be on the president's desk prior to the September 30 expiration date of SCHIP. The president has indicated on numerous occasions that he will veto any expansion of SCHIP. To continue the current program, the administration is encouraging Congress to send the president a short-term extension of the current program.

While the Senate is expected to have sufficient Republican support to override a presidential

veto, the House will find it difficult to muster the two-thirds majority necessary.

Children will not lose coverage immediately if the program is allowed to expire. Many states, including West Virginia, have sufficient dollars to maintain the program at current levels for several months.

President Bush's argument against the proposed bill from Congress is that SCHIP should focus on children in low-income families and not be expanded to more moderate and mid-income families. Such an expansion, the president argues, would "crowd-out" private coverage as more and more mid-income families drop their coverage in favor of enrolling their children in SCHIP.

The president's argument rests on his opposition to government financing of health care and ignores recent trends in the number of uninsured children and the history of the program over the past ten years. There is little evidence from the states that parents voluntarily drop their family coverage in order to enroll children in SCHIP. The number of uninsured children and families in America is growing because high cost of health coverage is forcing employers to drop family coverage or coverage altogether. Middle income families without employer coverage cannot find affordable coverage in the private market. Without SCHIP, more and more of America's children

(continued on page 2)

Draft WVAHC 2008 Legislative Priorities

Tier One

WVAHC will concentrate its legislative efforts on the following:

1. Blueprint for Reform: WVAHC's comprehensive health care reform package that will focus on meaningful cost containment, quality and affordable health care for all West Virginians, and significant insurance reform. (Details of WVAHC's Blueprint for Reform can be found on our web site at: www.wvahc.org.)

Tier Two

WVAHC will support and work for the passage of the following:

1. Adequate funding for the state Children's Health Insurance Program (CHIP) to expand coverage to children in households between 220 percent and 300 percent of the federal poverty level by January 1, 2008, assuming that Congress reauthorizes SCHIP in 2007, and the law is not vetoed by President Bush
2. Requiring drug "detailers" to report what they spent promoting particular prescription drugs to physicians and other prescribers. Any prescriber who receives more than \$1,000 in detailing expenses should be identified.
3. Requiring employers, other than small employers, to provide employees with seven (7) paid sick leave days annually.
4. Adequate state funding for a public-private pilot project to implement electronic prescribing in West Virginia.
5. Requiring that providers charge uninsured individuals the lowest fee that they have contracted with commercial insurance companies for a service.
6. Prohibiting pharmacy benefit managers (PBMs) that are employed by state agencies from reporting prescribing patterns to drug manufacturers.
7. Measures that will promote breastfeeding.
8. Requiring legislative notification and public input prior to Medicaid submitting a state Plan Amendment to the Center for Medicare and Medicaid Services.
9. Support a state resolution in favor of a national single payer system.
10. Support federal initiatives that will allow the states to be the incubators of health care reform measures.
11. Support the creation of an independent insurance consumer advocate position.

West Virginians for Affordable Health Care

*Perry Bryant
Executive Director*

Office: 304-344-1673 • Fax: 304-344-1242
1544 Lee Street
Charleston, West Virginia 25311

perrybryant@suddenlink.net • www.wvahc.org

President Bush Threatens Veto

(continued from page 1)

will lose access to health coverage.

Is it not time that we put the health of America's children ahead of ideology? If you do not share President Bush's views on the reauthorization of SCHIP, please take a minute and write him at 1600 Pennsylvania Avenue, Washington, D.C. 20500. SCHIP will expire on September 30th unless it is reauthorized or continued under a continuing resolution. So, time is of the essence.

Bylaws of the West Virginians for Affordable Health Care

As Proposed to the 2nd Annual Membership Meeting on October 20, 2007

Section 2: Internal Revenue Service Status

WVAHC shall operate as a 501(c)4 501(c)3 organization as defined by the Internal Revenue Service.

Section 5: Private Foundation

In the event that the organization fails to qualify as a public charity under federal tax law and is considered a private foundation, the organization shall comply with the following: a) It will distribute its income for each tax year at such time and in such manner so that it will not become subject to the tax on undistributed taxable income imposed by section 4942 of the Internal Revenue Code, or corresponding provisions of any later federal tax laws; b) It will not engage in any act of self-dealing as defined in section 4941 (d) of the Internal Revenue Code, or corresponding provisions of any later federal tax laws; c) It will not retain any excess business holdings as defined in section 4943(c) of the Internal Revenue Code, or corresponding provisions of any later federal tax laws; d) It will not make any investments in a manner that would subject it to tax under section 4944 of the Internal Revenue Code, or corresponding provisions of any later federal tax laws; and e) It will not make any taxable expenditures as defined in section 4945(d) of the Internal Revenue Code, or corresponding provisions of any later federal tax laws.

Section 2: Board of Directors

b. Officers

The Officers of the Board of Directors shall be the President, Vice President, Treasurer, and Secretary.

The President shall preside at the WVAHC annual meeting and all Board of Director meetings. The President shall set the agenda for each meeting. The President may execute any instruments on behalf of WVAHC after approval by the membership during the annual conference or after approval by the Board of Directors. The President has the authority to appoint any member to a standing or ad hoc committee of WVAHC. The President is authorized to perform all duties incidental to the office of President.

The Vice President shall act in the place of the President whenever the President is absent. When acting in place of the President the Vice President shall have all duties and powers of the President. Should the President resign or

otherwise fail to complete his or her term of office, the Vice President shall assume the office of President.

The Treasurer shall have charge and custody of and be responsible for all funds of WVAHC. The Treasurer, or his or her designee, shall receive and give receipts for monies, dues and all amounts payable to WVAHC from any source whatever; and deposit all such monies in the name of West Virginians for Affordable Health Care in such banks, trust companies, or other depositories as selected by the Board of Directors. The Treasurer or the President shall sign all checks. The Board of Directors shall approve all expenditures. The Treasurer, or his or designee, shall provide a written financial report to the Board of Directors at its quarterly meeting and a written financial report to the Board of Directors and the members at the annual convention. The Treasurer, or his or her designee, shall file all reports required by the Internal Revenue Service or the West Virginia Tax Department. The Treasurer is authorized to perform all duties incidental to the office of Treasurer.

The Secretary, or his or her designee, shall keep the minutes of the meetings of the annual membership convention and all Board of Directors meetings; maintain copies of all articles of incorporation and other state or federal documents involving the establishment or maintenance of WVAHC; prepare written minutes of proceedings of each meeting and distribute the minutes to Board of Directors members prior to the subsequent meeting; prepare and distribute minutes of the annual convention to all members present prior to the subsequent annual convention. The Secretary is authorized to perform all duties incidental to the office of Secretary.

Section 5: Amendments to the Bylaws

These Bylaws may be modified by a majority vote during an annual meeting following at least thirty-day notice to all members. Or the bylaws may be amended by a vote of two-thirds of the Board of Directors in attendance at a regularly called meeting, provided that at least one month prior to the meeting, notice of the meeting including the day, time and place and the proposed bylaws amendment(s) shall be distributed to all members.

These amended Bylaws were adopted by the WVAHC members at the 20067. annual meeting on October 14 20, 20067.

WVAHC 2nd Annual Membership Meeting Scheduled For October 20th in Charleston

The Second Annual Membership meeting is scheduled for 11:00 A.M. on October 20th at the WVEA offices in Charleston (1558 Quarrier Street, East. Call 344-1673 for directions.)

During the Annual Membership meeting, members will elect a President and Secretary for a two-year term and also elect five Members-at-Large Board members for two-year terms. In addition to the election of officers and Board members, the membership will also adopt WVAHC's legislative priorities (a draft of the legislative priorities is on page 2) and consider amendments to WVAHC Bylaws. The proposed Bylaw changes can be found on page 3. The two most important proposed changes to the Bylaws would make WVAHC a charitable organization and allow the Board of Directors to make changes in the Bylaws with notice to all WVAHC members. The change in tax status will limit our ability to lobby and prohibit our

involvement in politics. However, WVAHC would be able to directly receive foundation grants. Currently, WVAHC relies on the Council of Churches (and other 501(c)3 organizations) to be the fiscal agent for grants. Some foundations have not been supportive of this arrangement, and WVAHC has lost grants as a result. The other proposed changes in the Bylaws will allow the Treasurer and the Secretary to designate someone to carry out some of their duties.

The annual membership meeting is an opportunity for members to shape the direction that WVAHC takes over the next year. We certainly hope that you will join us on October 20th at 11:00 AM.

