

**“2003 National Health Policy Agenda”
Luncheon Plenary Session: Political Commentary – The
Impact of Mid-Term Elections on the Policy Agenda
Thursday, January 23, 2003**

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DAVID: ...have learned that the voter news service was not going to be able to provide any data and you have been waiting ever since. To learn what? This last election really meant this is your chance to understand that and they will be projecting forward on what they think we will do in this next congressional period. Let me remind you that Tom Mann is the Averell Harriman Chair and Senior Fellow in Government Studies at the Brookings Institution, who was there from 1987 to 1999 as the Director of Governmental Studies. Before that, he was the Executive Director of the American Political Science Association. Our other speaker, Norm Ornstein, is the Resident Scholar of the American Enterprise Institute for Public Policy Research. He was, if you were watching CBS election night, an election analyst for CBS news, and he and Tom speak frequently; they collaborated on books; they are often seen on television, so these will be two folks that will be known to you. They are anticipating your questions, so be thinking about your questions, and we will start first with Tom.

THOMAS MANN: David, thank you very much for that lovely and generous introduction. Although I thought it important, just to have full truth, full disclosure up here, there is an element in my background that David didn't mention and I thought I ought to call it to your attention, and the best way I could do that is by sharing with you a postcard I received at the Brookings Institution a couple of years ago,

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which is now framed and on the wall of my office. It was made to Mr. Thomas Mann and it said: "Dear Mr. Mann: In one of my classes, we are reading your book, Intensive Care: How Congress Shapes Health Policy, that's a book I did with Norman some years ago. In another class, we are reading your Magic Mountain and I have been deeply moved by it. Only a genius could write fiction and nonfiction of such quality. What a shame the Germans drove you from Europe." So, listen, if it gets a little slow, I could do some readings from Death in Venice, or Buddenbrooks. Well, it is an ominous time in Washington. There is a looming war in Iraq. The president has accelerated the military build-up, but I don't know how many of you noticed yesterday, there seems to be a change in strategy. Perhaps it's a new tactic, a kind of psychological warfare, against Saddam's general. You know, instill confusion in the ranks. I mean, I came to that conclusion when I heard the president's statement yesterday, which went as follows, and I quote (presumably directed to generals who might set off weapons of mass destruction): "When Iraq is liberated, you will be treated, tried and persecuted as a war criminal, and we are not going to send you to that Guantanamo spa, either." Listen, we have had a series of extraordinary events, developments and changes over the last year that make it hard for any of us to catch our breath. The topic of our session is, The Impact of the Midterm Elections on Health Policy

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Agenda, and yet, the midterm elections now seem almost like ancient history, and yet, it was only a few months ago... Let me just reel off events and developments, all of which are familiar to you, but when you face them directly, you understand what a period of extraordinary disruption, change, uncertainty we are in. It began in November of 2000 with the closest and, arguably, the most controversial, presidential election in American political history. We then, several months later, at the behest of Senator Jeffords of Vermont, saw the first ever change in party control of the senate between elections, with Tom Daschle becoming leader. Then, of course, 9/11 and the traumatic effect it had in real terms and in psychological terms. I think none of us will ever forget where we were and how we reacted at the time. During this period and shortly after, we saw a reversal of economic fortunes, moving from the longest economic expansion in American history to a period of intermittent growth and recession of the economy, mired in what seems to be a jobless recovery, but with the possibility of a double-dip recession, as well. We saw a shift after a brief period of time from government surpluses, budget surpluses as far as the eye could see, to its replacement by deficit. I mean, how many of you remember Alan Greenspan worrying so much that we were going to pay off the national debt and be forced to have the public sector own shares in the private sector. Well, I am relieved to say that's a problem

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that is not confronting us any more. We went through a period of corporate scandals, leading with Enron and continuing with many others, the largest bankruptcies in history. We have, tomorrow; I think, officially, the opening of the Department of Homeland Security, a mega department, a colossus... No one can explain to you how difficult a job Tom Ridge has in trying to manage this behemoth, but ironically it is created at a time of a Republican White House with an occupant who believes in small government. He has, for some months now been talking about waging a war against Saddam Hussein and has an administration that has articulated national security strategy that really involves preventative war; it's not preemptive. Preemptive has been around a long time. Preventative discretionary war is something Americans haven't grappled with before. Then, of course, we had this historic victory for President Bush in the 2002 midterm election. The president gambled and won. Previous presidents have tried and failed. The best political advice was, "Don't do it." You risk your popularity and your political standing, but he moved aggressively to reshape the public agenda, which led to a recovery and what had a been a somewhat sharp drop in his approval ratings and a focus on security. Security, vis-à-vis, the lack of weapons of mass destruction and the politics of homeland security. It was an extraordinary victory, departing from the historical pattern of the president's party losing seats in midterm. It wasn't a huge

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shift, a couple of seats in the senate, about six seats in the house, a small number of votes determined the outcome and yet it paid large dividends because the president took the gamble. He had now senate control once again, returning the Republicans to unified control of the White House and both chambers of the Congress, and I think he gained a political legitimacy that escaped him in the 2000 election because of the very nature of it's resolution by a 5-4 Supreme Court decision. So, it was an extraordinary... let's just run through that, from the 2000 elections through the 2002 midterm elections, and you get a sense of the sort of the calamitous events, the serendipity, the need for extraordinary leadership, and something of a measure of the man who is in the White House, and, yet, since the November elections, things have not gone quite in line with that extraordinary political victory in November. Mary Landrieu, democrat from Louisiana, had a run-off election. Louisiana's rules are like none other. The President and the Republicans waged as aggressive a fight there as they had in the November election and lost. Mary Landrieu came out of that contest believing it was her independence from President Bush, in spite of her having voted for the resolution to go war against Iraq or to allow the president to make that decision, in spite of having voted for the president's tax cuts. She found that saved few democratic senators in the elections and her best ticket to victory was picking a fight. Now, mind you,

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some of the fights she picked were a little parochial - sugar politics - but, nonetheless, she did. Then, of course, we have the debacle of Senator Lott, who single-handedly replaced the question of "How did you vote in the 2000 election?" with "How did you vote in the 1948 election?" It was an embarrassing period for the Republicans, and yet the White House moved with alacrity to remove the likes of Senator Lott and see that he was replaced by Dr. Bill Frist, the new Senate Majority Leader. We had a replacement of an economic team, which was probably a good move, but it reflected a self-perceived vulnerability on the economic front by the administration. Then, of course, we had new developments in North Korea, which elevated the threat from rogue states from the Persian Gulf to North Asia and called into question the utility of the idea or the term of "Axis of Evil" and of the administration's priorities. We have seen sinking public approval for the president. The latest numbers in this morning's Wall Street Journal, 54% approval overall and the plurality disapproving the job the President is doing on the economy and basically even split on managing our encounter with Saddam Hussein. There has been widespread skepticism about the economic stimulus package among Republicans who don't see any stimulus and among Democrats who don't like other features of the package, but it is now reflected in public opinion, as well. That same NBC/Wall Street Journal poll indicated 61% of the citizenry do not

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believe the President's program will help the economy in any way. There is growing anxiety about the war against Iraq, certainly internationally, but even here at home. Still, a majority of Americans support the president, but that support is wide and shallow and soft and it is predicated on the U.S. going forward with the United Nations and our allies, and yet France and Germany are doing all they can to make that difficult. We have seen a Democratic party that looked so pathetic and lifeless in the days and weeks and months leading up to the midterm election, become liberated by their new minority status. Again, in the Senate, Tom Daschle has decided to stay as Democratic leader, not run for the Democratic presidential nomination and seems to be licking his chops. He doesn't have to worry about Jean Carnahan's vote for the tax cut and Tim Johnson's, you know, now much has changed and the Democrats seem energized, but they also seem embittered. Make no mistake, the campaign waged against Max Cleland in Georgia on homeland security is a campaign that Democrats will not soon forget and will serve to unify them in their opposition in the months ahead. And of course with the early leaks from the new budget, we see signs of very, very difficult budget fights ahead. Yet, what's fascinating is that developments since the election seem to have little impact on the president's agenda. The president has signaled an agenda that is consistent with his surprising political victory in the midterm election.

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Certainly, the economic stimulus tax cut package fits that, the resubmission of very controversial Federal court appointments, the position he took on affirmative action after the Lott situation, the decision to stiff the fiscally stressed states. There were proposals around before the election to provide fiscal aid for the states, possibly through additional Medicaid payments, but many possibilities were there, but that provision basically disappeared in the president's economic stimulus package. I think the president is resolute on his decision about deposing Saddam Hussein, one way or the other, and that we are moving inexorably toward war or the brink of war, at which point, if Saddam leaves by his volition, or as a result of a coup, the objective will be achieved but, I see no hesitation in the face of the discouraging developments abroad or public opinion knowledge and finally, there is every sign that this president will table a very ambitious health agenda, including certainly a restructuring of Medicare tied to the provision for prescription drug benefits restructuring Medicare. Given the narrowness of the Republican majority, given the shakiness of the economy, given the difficult situation of the budget, that's bold. In fact, depending on your point-of-view, you could say the president's agenda is bold and courageous or, alternatively you could say it's brazen and reckless. What you have to acknowledge, however, is that it tells us a lot about George W. Bush and his presidency.

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This is an amazingly risk-tolerant leader who is not afraid to gamble. In fact, he relished gambling. He plays strong hands and he plays weak hands. He believes the absence of playing is a recipe for failure. He is ambitious in a policy and a political sense and is bold. I think he and his primary advisors, most importantly Carl Rove, are politically astute and they are tough as nails. George Bush does what he has to do to get the job done and he didn't shy away from campaigning in Georgia against Max Cleland on domestic security issues and he has shown sort of a willingness to face off adversaries and friends alike. Now, another feature of the Bush presidency, which was a feature of his campaign for the presidency, is that the President has conceived of a strategy in which he advances primarily conservative programs, but cloaks them in moderate rhetoric. That was the compassion conservatism. We saw it the same time as the Justice Department filed its brief on University of Michigan affirmative action case; we saw an increase in the budget for historically black colleges. Too small a number to be noticed in a big budget, but it's the kind of item that they have very effectively come forward with. This administration has carried what we have come to call "the permanent campaign" to a new level. We thought Bill Clinton was the ultimate practitioner of the permanent campaign, but George W. Bush makes him look like a [unintelligible]. They are very skillful in managing messages and we are now in the

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midst of a message management effort that will lead up to a war against Iraq. The belief is that that's what you have to do to govern. Now, another interesting feature related to the one I just made, is that the President ran as a unifier - someone to bring the country together - and, yet, he has proven to be one of the most polarizing presidents in American history. His presidency is important, will be important, in part because of the boldness of his initiatives and in part because of the passion that he evokes. No one in a century, no Republican President in a century, has garnered this kind of almost unanimous support from his own party ranks, from the public, and in the Congress yet, no president, especially one seemingly involved in a war, has elicited the anger and bitterness and opposition of the Democratic party as well. In fact, the shifts in public opinion are all among Democrats. Republicans remain very unified. And one of the major questions is. Is it possible to be a war president, which requires broad support of the country, bipartisan support, and a partisan domestic President at the same time? That's what George Bush is testing, and will be testing, in the months ahead. It is important to remember that, in spite of all these extraordinary changes that I have recounted for you, the fundamental structure of American politics remains largely the same. The two political parties act parity at every level of office and within the American electorate itself and those two parties

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have become increasingly ideologically polarized. In that environment, it's very hard to put together a successful legislative program that is geared toward your political base. Will the Bush strategy work, in terms of its legislative accomplishment, in terms of its electoral success in 2004. Some would argue that the agenda the President is tabling in all these areas is simply an opening round which moves the playing field to the right and allows any ultimate compromise with the Congress to be much more to his liking than that of the party, but there is a risk that, in opening the round in that fashion, you raise expectations with the base and so embitter the opposition that you fail to achieve anything at all. What I will say is, I believe this President has decided to run for reelection and ultimately to try to build the Republican majority on the basis of being a successful Commander-in-Chief, of being a president who took steps to revive a sluggish economy and made it grow once again, and, finally, the first president who addressed the serious, serious fractures in our health system. He did so with creativity and energy and resolve. That's how this president wants to campaign for reelection in 2004. The interesting question from the point-of-view of this conference is, will the health president, in the end, have any close (Misspelled?). Thank you very much.

NORM ORNSTEIN: Thank you, Tom. Tom started, of

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course, by referring to that larger issue that looms over all of us, Iraq, and I do want to bring you up to date. We had some very encouraging news this morning out of Baghdad. This morning, Saddam Hussein, in a very moving, conciliatory gesture, resigned from Augusta Country Club, so we can all hope that that will move things along. Actually, the President spoke this morning, as well, trying to respond to the French and German challenge of "Where is the beef, where is the concrete evidence?" and he said we actually have it. You probably saw, a couple of weeks ago, that our intelligence experts and spies reported that Saddam Hussein has three wives, 7-10 mistresses, and takes massive quantities of Viagra, and the President said proof positive that Iraq has a weapon of mass destruction. I have a little new for you on the terrorism front. Of course, we had a rather embarrassing report the last week that as Osama bin Laden got away in the aftermath of September 11th, by handing his satellite phone to the lieutenant, who just went off in a different direction and followed him. Well, we had a positive sighting of bin Laden today. On the border by Jalalabad in Afghanistan and Pakistan, there was a white bronco wandering aimlessly. And, let me also note since, of course, even as I speak, it appears former President Clinton is speaking on health issues just blocks from here, and we did have some heartening news of bipartisanship. Counter-terrorism experts, several weeks ago, said that not

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only is Al Qaeda alive and well in many countries, but they are communicating regularly, apparently using embedded messages in pornographic websites. And, this morning, former President Clinton volunteered to decode all of those messages. So, there is a lot happening out there and a lot happening on the health care front. Although, with that giant caveat that Tom started with, that we all have to keep in mind that I know you heard from Bob London yesterday as well. We are likely to go to war sometime within the next several weeks. It is not a 100% chance, it may not be an 80% chance, but it is close to that. That's going to change everybody's agenda. We have a looming crisis which could be of even bigger significance with North Korea and we are not close to resolving that and there are a number of national security experts out there who believe that it is a rational move, in a bizarre way, for Kim Jong-il to ratchet up the pressure and to move with even greater rapidity toward developing nuclear weapons, since it appears that the standard is, if you try to get those weapons, you're dead. If you have those weapons, well we'll just have to live with you. So, we may find ourselves with even greater tension in North Asia. And we can talk about a tax plan, we can talk about health policy, we can talk about those many, many other items that are on the domestic agenda; although, we aren't going to be talking about those items. At least, they are not going to be at the forefront of the dialogue that we have. They won't

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be dominating the news. They won't be at the top of the nation's agenda if we are at war or on the brink of war. And, if we are at war, it will change everything, including changing the budget dynamics for the next months or years ahead.

Putting that to the side as much as we can, we have once again, it seems to happen almost every year, we thought it wouldn't happen for quite a while after 1994, the year of health policy. So many issues of health policy are demanding a place at the table and members of Congress and other government officials are paying close attention because it's on the minds of constituents, but it is also forcing the policy realities, the actors (Misspelled?) in the process to pay attention. Let me run down the list of some of them and talk a little bit about them. Of course, Medicare prescription drugs is at the top of the list. It was a dominant issue still in the election campaign and Republicans trying to diffuse that issue and make sure it couldn't be used against them. When you have, as Tom said, a nation at parity and when you have such close margins, the majorities at stake, and the stakes so high because of the stark ideological differences between the parties in Congress, each party speaks to what we used to call, and what we can still call, "wedge issues". Issues where you can be out there saying we're on the side of the angels and they're on the side of the devils, and if the other side is in the position where they have to say repeatedly, that's not really true; it's more

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complicated than that, then they're goners. So, each party tries to make sure that such issues can't be used against them and one of the themes of this last election was Republican candidate after Republican candidate, Republican winner after Republican winner. House and senate pledging that a sizeable and generous prescription drug benefit plan would be right at the top of their agenda when the new Congress convenes, and they have to put it on their agenda, as the President will put it on his agenda. It, however, will not be alone and I think we are going to see this issue merging very directly, within the next several days, with what is likely to be the administration plan on Medicare reform for several reasons, but not the least of them is this, when you put together, in an era of deficits, a \$674 billion tax cut plan that House Majority Leader, Tom DeLay said is a floor, not a ceiling, and we know, we've got a capital gains cut, corporate tax break, full repeal, permanent repeal of the estate tax and a larger reform of the alternative minimum tax, which will explode, even with the President's new plan, after 2004, hitting 30-40 million middle class Americans with sizeable tax increases, we're easily bumping against a \$1 trillion tax cut on top of the \$1.6 billion that we had the last time. The cost of a war, take your pick, the projections by Mitch Daniels, which have miraculously found great savings and could bring the cost of the war down to \$50-60 billion, or the off-the-cuff estimates

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last year of the now-departed Larry Lindsay, of \$100-200 billion dollars. The one-time cost, but it's an add-on to already sharp proposed increases in defense, tremendous demand on homeland security. But, add on to that a generous prescription drug benefit plan, which almost inevitably, when it gets to congress, will end up in a bidding war. It can't be done without substantial bipartisan support. To get bipartisan support, you're going to have to find some way to accommodate a Republican proposal and a White House proposal that focuses on private insurers and a Democratic proposal that focuses on channeling this through Medicare, and somehow you accommodate them both and the cost goes up to \$4-500 billion over 10 years and they can't justify all those numbers. And, by the way, they've got another very substantial dilemma on their hands. They want to do the tax bill, if they can, through the budget process of reconciliation. I won't go into great detail; many of you know about this. But, the fundamental reality is that reconciliation, which is supposed to tie together all of your budget plans from the budget that Congress passes, and then make sure that all the other committees are ordered to change authorizations and taxes and other things to comply with that, is a procedure with which there can be no filibuster in the Senate. So, it is a 50-vote hurdle, rather than a 60-vote hurdle, as there is on everything else and with the democrats, as Tom cogently said, now in the minority, they don't even need

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41 votes. The filibuster rule in the Senate isn't that you need 40 votes against, or three-fifths of those present voting; it's 60 votes. So, the burden is on the White House there. If you can do a controversial program like the tax cut, or even like a prescription drug plan, within the confines of reconciliation, then you have a much better chance of making it happen. But, under reconciliation, there is something called the Bird Rule. The Bird Rule says, in effect, that anything in a reconciliation package that is extraneous (Misspelled?) to the budget, or that adds to the deficit, either by reducing revenues or increasing costs, outside the scope of the budget plan, is subject to a point of order and we are back to the much higher hurdle. If you remember the last tax bill in the Senate, it has this bizarre provision. It is actually my favorite provision in tax policy that had the estate tax gradually going down to zero in 2010 and then being totally reinstated to what it had originally been in 2011. Now, I'm hoping this will happen, because we will have these wonderful scenarios in 2010 that are like Arsenic and Old Lace, "Grandma, eat these mushrooms, drink this wine. It will taste a little funny, but...". And then in 2011, it's Weekend at Bernie's. You know, put them aside in a closet until they change the estate tax law again. Now, why do they something this bizarre? They did it to avoid the reconciliation problem in a budget plan that had a 10-year projection. This administration doesn't

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want 10-year projections anymore because those 10-year projections now, which include permanent repeal of many of the taxes that they have added, or a permanent extension to the tax cut will result in projections, even if we dynamics for, even if we have aerodynamics for, that are unacceptable. So, one way around that, or one way to deal with it, one way to try and reduce those costs is to say we're going to come up with a bold Medicare reform package that will save large sums of money and that will reduce the net cost of a prescription drug plan. So, they have a major incentive to put those together and, then if congress rejects the Medicare reform plan, they can say, well, see they're the big spenders, it's not our fault. But, at least they can come up with a budget projection in the process that will have smaller deficits that we otherwise would have. I would say, however, that, in the process of putting this larger plan on the table, which, no doubt, will resemble other packages we've seen for the reform of Medicare and try and move it forward to an incentive-based market competition based system. They have, in many ways, opened the door for a larger debate. Absent a war or with a war that ends quickly, this now becomes a debate that spreads beyond Medicare. And this is the opening for John Brow, or for others, because this is going to be a major subject in the presidential campaign, to discuss a larger overhaul of the health system generally, and that will include, of course, the uninsured, which is going to be a

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dominant topic, I think, out there in the country and it's going to be a dominant topic in significant part, because the whole political climate is changing, I would say, dramatically from the last eight years. When the Clinton health care plan came out in 1994, I ridiculed one aspect of it, in print, which was the focus on the uninsured. And I said here's some basic politics. There are 37 million uninsured, there are roughly 215 million insured, combine that with what we know is the universal definition of reform. Reform is where I pay less and I get more. And, what you are telling the American people is that we are going to reform this system. You'll pay more and they'll pay less, and that's not going to work. But, things have changed and we no longer have just simply 37 or even 40 or 41 million uninsured out there, many of whom in the past, by the way, were not unhappy with what was happening to them. We had plenty of young people who were uninsured who never saw a tremendous problem or others who could go to an emergency room. But now what you've got is a far larger number of people who have either been uninsured, been unemployed, had the experience of COBRA, have friends, family and others who have been in that circumstance, and a growing unease about the economy. Lots of people see bankruptcies in companies and wondering what that will do to any health benefits that they have, knowing that there will be an 18-month timetable on COBRA, and also seeing a larger number of companies push people off under consultant

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status so they can get off the benefits package. We are starting to see companies respond by increasing the costs to their own consumers, as we saw with General Electric, with a very substantial push back from people. And I would say we've got off-the-cuff, back-of-the-envelope estimate, maybe 90 million people. We now look at the problem of the uninsured and say, gee, that's something that may affect me or people close to me. So, this issue is going to resonate considerably more. And, when a presidential candidate, Howard Dean, out there now, with a simple overarching theme that resonates with that democratic primary electorate, and it starts not with this tax cut, but with the last tax cut, and says \$1.6 trillion in tax cuts, I'd repeal it. Take half that money and build down the debt, because I know about fiscal responsibility in Vermont. And we will take the other half and make universal health coverage for all and that resonates with people out there. If you put that together with a Rowe plan that basically says, I don't know exactly what this will cost, but as an alternative to a new tax cut, is something we ought to consider. And, if Democrats have any ability, something they've lacked with this president in the past, to start to frame these issues in either/or terms, or in trade-off terms, then you've got a different dynamic at work here. Now, let me say those are not the only health issues that we have out on the agenda and we see others that are in the news all the time.

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There is malpractice reform. Of course, we have seen a previous interesting shift in the political priorities and the political allegiances of physicians in the last couple of years. I marveled a few years ago of how Harry Truman would be rolling in his grave if he could look at physicians who, of course, were the staunchest opponents of any proposal that he had to try and bring in a federal program in health coverage. Suddenly, linked arm-in-arm with Democrats against Republicans on a patient's rights issue. But, now they have shifted off that focus to malpractice reform and sought some support and opposition they gave the candidate for the last campaign and they're focused very much on that issue. For John Edwards, the Democratic presidential candidate, he is actually looking at it and saying great, bring it on, because if I can make my campaign as a populist, beginning by talking about some of the abuses that have occurred out there and how we can't remove those, and basically, for most people it's one thing if you're talking about patients rights when your physicians are examining you, when talking about how those dreaded HMOs are blocking them from giving you the kind of coverage they want to give. It's another thing if they whining about money. Then, it becomes big forces out there, trying to decide who will get to drive the bigger BMWs and it doesn't have the quite the same political traction, but it will clearly be an issue. We have, as we saw in the news, the Carl Rowels (Misspelled?) breakfast

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with reporters yesterday; cloning, back on the agenda and apparently a top priority now, of course, with the Clonaid group out there, the President said that he remains staunchly opposed to human cloning. He knows first hand what damage cloning can do. And, I must say, I am really looking to a debate on cloning because I remember the last time I watched with great interest on CSPAN, as, in the House of Representatives, you had 400 white guys in blue suits, white shirts and red ties all denouncing cloning. It was really something interesting to see. But that and embryo research and a whole series of moral and ethical issues that relate to scientific research are going to be up there, even as we consider also the whole question of funding for research and the commitment to doubling the NIH budget every year, under this budget sweep, with Social Security basically off the table right now, where, if we do anything, it will increase those costs, with other entitlement costs going up and with defense and homeland security costs going up, the squeeze comes everywhere else and that's a fairly small share of the budget and it is going to hit things even that everybody has supported in the past, and so we will see those issues and let me also just mention briefly, although I think it's an hugely significant issue, Medicaid. Tom mentioned the plight of the states. And it is kind of ironic in a sense. An administration that would say that it looked to no one in its

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commitment to federalism, moving power and responsibility away from the federal government to the states. They are doing everything they can. If you wanted to devise a master plan to stick it to the states, you couldn't do much better. Unfunded mandates - the bane of conservative's existence, are exploding everywhere. On the homeland security front, huge unfunded mandates, an election reform, large unfunded mandates - by the way, Tom, I don't know if you saw it, this is true, but the paper this morning, that they discovered a block of unopened absentee ballots from the September primary in Broward County, Florida. Honest to God. So, it's déjà vu all over again. There was news on the Catherine Harris front, by the way. You know, she was elected to Congress from the West coast of Florida - from Sarasota. She's spent \$3 million in this campaign. Her opponent spent \$120 thousand and Catherine got 55% of the vote, putting her in one of the 20 closest Republican races. So, today she announced that she won in 2004, that's very, very good news for her. But, as you think about the crushing burden on states, most of which have spent all of their money, managed in the halcyon (Misspelled?) days of the 90s, to cut taxes, increase spending and have surpluses and look like geniuses, they are now dying out there and Medicaid costs are skyrocketing for them. And they are starting to ratchet down in ways that are causing enormous problems for them. We were in Salt Lake City for a conference

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together two weeks ago and the headline in the Salt Lake City paper was Rite Aid saying that they were going to drop out of Medicaid because reimbursement rates for them [Unintelligible] wouldn't make it. And the states are coming to the federal government and begging for assistance there. That increases the pressure, in many ways, to do something more than the larger sense about health care and it increases the resonance for a plan like Broeux's to get on the agenda and begin to have some focus. So, we have lots of caveats out there, but your business will be very good and ours will be even better over the course of the next year. Thank you.

MALE SPEAKER: You can be moving to the microphones, but I am prepared to ask questions and I am constrained myself from asking a question, so I am going to start with this one: Norm, if Bush is willing to be so bold, why doesn't he just take up Senator Broeux's proposal and say, okay, I will give you health care. You know, it wouldn't surprise me to find that Breaux's plans will end up getting intense inside the White House. Although, it is interesting, of course, one of the moves that the White House has made is to take their deep thinker on health policy and he is a very deep thinker and an extraordinarily impressive guy, Mark McClellan, and move him over to FDA and they don't have quite the bench strength that they have had. So, I'm sure one of the things that they will do is call in Senator Frist and say, "What do you think about

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this?" and if there is some way we can work with him in building the bipartisan approach. But these days, too, remember that Bush's inclination in almost every policy area, unlike when he began, where he balanced the tax cut, which was tough, hard, partisan, keep it as far to the right as you can, squeeze just a few democrats along, with education, where he cut right to the chase and began to negotiate immediately with George Miller and Ted Kennedy. He has abandoned that approach, by and large, which was something very different for him to do...but, it would utterly change the dynamic if he decided to raise that. Let me just offer one caveat, though...remember that John Rove got involved in this issue before, tried to make a broad bipartisan approach and found most of his Democrats they said no thank you, so it's not clear when you're in a minority and the inclination of most of your members in the minority is to oppose what they are doing, and now they see a president who shows how quickly political fortunes can change, after that great first, you know, political genius coattails of the midterm election look at the last week. It has been an awful week for him with France and Germany. They have had to step back on the proposal to cut the emergency coverage for Medicaid patients. They are not having a very good week and so, the numbers are going down. A lot of democrats' initial inclination is going to be, leave John Broeux out there on his own. It's a very important question and the answer will tell

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us very much about this president and about the next 2 years and potentially about the next 6 years. Because, if what the president were trying... if what he had decided to do was taking advantage of some opportunities to try to expand the Republican coalition reach more broadly to independents and loosely attached democrats and moderate democrats and this would [unintelligible] politically it's an opening move but, what it would do is anger people at its base who believe that it lacks sufficient market mechanisms and discipline and has too large a role for government and is too expensive and would intrude on the tax cut agenda and I think there will be a debate in the White House, but, I think in the end, they will stick to their base and reject the offer of very good advice. Allen.

ALLEN WILDER: Allen Wilder. You said, you characterized the administration as bold and I am trying to get my head around that [laughter]. It's easy for me to see in the area of tax policy [unintelligible] in the area of international affairs, but I would like to pause out a slightly different interpretation on domestic policy and I'd be very...actually, it seems to me, when it comes to health care when it comes to Social Security, when it comes to Medicare, bold would be trying to get something done. What I see is putting something out there that is clearly not acceptable to the Democrats and stating very clearly that these issues are non-negotiable and, therefore, to me, it is sort of asking to

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have nothing get done, which doesn't quite meet my definition of bold, and, yet it does provide as you said, in the permanent campaign, political cover, because, clearly this is a president who supports reform, which is always good, and supports prescription drugs and supports covering the uninsured, with the odds of anything happening on those go down . Meanwhile, he has the appearance to do the other things, which operate below the radar screen, outside of Washington, on the regulatory front on areas to get this kind of attention. That would be my read, but I want to be open to the notion that this is bold I'm interested in your reaction. Bold is not necessarily wise and bold is not necessarily productive. Your notion of bold was closer to my notion because we think in certain governing terms of where we can imagine policy agreement of being reached in a big, messy complex area like health or retirement or anything else. I think...I think President Bush sees it differently. In many ways, he is a much more aggressive ideological leader than Ronald Regan. His idea is to transform the political policy space out there, but the very daring of his proposals occasionally meeting with success that then become a new reality, as his tax cut did. Look at what that tax cut did to the democratic efforts to contest the midterm elections and the democratic efforts to advance their interests over the longer haul. Similarly, I think he has a vision about taxes more generally that will come in steps.

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Occasionally, the steps seem to complicate the tax code, as certainly this corporate dividend tax proposal does, but incrementally moving to a fundamentally different kind of tax system. I believe he has those ambitions for Social Security and I believe he has those ambitions for Medicare. He looks back at the Clinton experience and says, gee, Clinton thought he was doing the sort of moderate thing, that is rejecting the single payer system, but incorporating market mechanisms and so on and... and got over whelmed and Bush's style of leadership is to put out there some highly controversial proposals and see if it doesn't begin to create a new reality on the ground. He is doing that in the international arena, as you have suggested, it's very risky and who could argue that, absent the events, absent 911, neither his domestic, nor his international agenda would be looking very healthy, but leadership is partly about seizing opportunities, not anticipated, and making something of it, and my overwhelming impression is that this is a president who tries to govern by taking big, risky steps, rather than trying to graft compromise. Frankly, on the education bill, he let others work that out. That was... he knew generally the direction he wanted to go in, but there was no firm etiological commitment. With the role and size of government, the nature of the tax system, what should happen to social insurance, the nature of regulation of the private sector, the role of the U.S. in the world, there are strong views there and those views

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will not be compromised.

MALE SPEAKER: I have just one caveat, and that is if the whole dynamic at the end of 2002, the political imperative of the president, that is to block things from happening, because he wasn't up... the congress was up...and the democrats had their piece of the action and who could blame them and he did it very, very effectively, so where there were lots of compromises right there on the table to be had, patients' rights being one good example, it shouldn't even happen. Now, the political imperative changes. Now, he needs a record of accomplishment and, with unified government, actually...well, you know, we would argue in the past that, when you have divided government, you should be able to make things happen a little more easily, because the other side has some share of the responsibility, they will come to the table to come to the table to negotiate and he spurned that. Now, with united government, he has an even greater need to compromise actually. So, I suspect he will try and find, in some of these areas, places where he can declare victory and he may surprise us a little bit with his strong ideology, but he wants victories, and he may need them if things in the world don't go as well as he anticipated.

MALE SPEAKER: Yes sir?

MALE SPEAKER: Senator Frist managed the Senate, considering his relations with hospital Corporation of America.

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Senator Frist, can he managed the senate given his relations with HCA. I am actually looking forward to the moment when I...I say that loosely...when Vice President Cheney is in the chair and has a little angina pain and he searching for help and then he sees Dr. Frist, who is always mentioned as the prime candidate to replace him, down there and mixed feelings about whether he wants to...or he will say to Senator Frist, "Can we call the senate physician on staff, please?" I feel, given that Senator Frist himself has never had any significant management responsibilities at the Hospital Corporation of America, yet most of the controversies and the problems that exist there weren't really blamed on his family, I think he can avoid the heavy weight that might come otherwise. Part of the question now is whether...I think it's not that...it's whether Senator Frisk, who, in his years in the senate, has not spent a lot of time immersing himself in intricate problemmentary strategy. Or, having to get deeply in a whole series of areas, like international relations, which you can do as a rank-and-file senator pretty easily, without having to do that, but now he is in a completely different job, and many of you who know him, that I have come to know him fairly well...He's an extraordinarily impressive guy. His learning curve is going to be remarkable, but there is still going to be a learning curve there, and he will stumble along the way, and, now, he can't spend as much time on the health issue, because he is going to

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have his hands full managing the senate with a 51-49 margin and a group of democrats who have voted for Baer against him and the constant struggle, as we've already seen, as they find ways to bollix up the works for him. They did it right from day one on the extension of unemployment insurance, then they did it by holding up the organization of the senate, which they could do, even while being in the minority and they will find a million other ways. I think he can have some credibility on this set of issues because of his background and his knowledge, but whether he will be able to really play the role as broker that he would have, if he were not majority leader, has been deemed questionable. It would be fascinating to see how Frist manages his relationship with the President, as in some way, that's the critical relationship. Bill Frist has been like George Bush in some respects. There is pursuing a marginally conservative agenda, but having a manner and style and engaging in the various activities that convey the very antithesis of an [Unintelligible] or rigid person, so they are a lot alike... they like one another, but I haven't seen a mood this poisonous in the Congress in my 30 plus years in Washington. It is really ugly up there and, to the extent that Frist is seen as the water carrier for President Bush, it ends up being a liability in trying to work with democrats, which is essential to get any work done. There are also some republican senators, like Chuck Grassley and Dick Shelby and Ted Stevens, as well as others,

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with very strong feelings about the senate as an institution, the prerogatives of the legislative branch, the first branch of government, to which George Bush, who leads the presidency is in article 1, not the Congress. He is a very executive set-in president...believes in the prerogatives of the White House and the president, that has been engaged in a series of battles with members of both parties over those powers and I think Frist has a tough road ahead here in trying to manage the relationship with Bush and be able to speak for and defend the senate as an institution. By the way, he also has to keep his 51 Republicans together beyond the Grassleys and the Shelbys, including the Lincoln Chafees, the Olympia Snowes, as well as half dozen moderate republicans who hold the balance of power on issues where you are trying to get to 50 and not to 60. And, a key figure there and one to keep in mind on many of these health issues, is John McCain. One of the things that may happen here is that we'll see the Breaux plan become a Breaux-McCain plan and that might cause the White House to say simply viscerally we won't go anywhere near it, even if it does have something good that is around it. McCain is now himself open for Baer, because the White House basically openly stiffed him, reneging on a written deal, lying about what happened on a Republican federal position and, so he's not in any political position to bend backwards for the White House.

MALE SPEAKER: [Unintelligible] and I'm having a hard

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time back home convincing people that health care is going to be a big deal, either at the state or at the federal level and so, what I'd like to know...I am asking if you can arm me with information about what other domestic issues I potentially knock off as being the number 1 domestic issue. I know there are other ones out there, but again, assuming [Unintelligible].

MALE SPEAKER: My own view is that the highest priority for the administration is the economy and the health of the economy, so I believe that the package that they proposed on the economy was recognized as having those stimulus now because their concerns are a year from now and I think the true provisions, the moving up, the cut schedule for 2006, was buying some insurance for a healthy economic recovery in 2004 and that the dividend elimination was designed to appeal to what they believe is a growing a crucially important constituency and that is stockholders. And so that is their highest priority. But, when it comes to the other range of policies, let's make welfare reform, a series of social issues, including abortion, environment, energy... you name it, those are all there and they have an interest in them, but, the White House believes that Carl Breaux believes that this president has to be accurately stating on the health care issue and as Norm has suggested, it ranges across a wide variety of subjects, so I don't think it will be displaced in terms of the attention given it by the administration, but, what I can't

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tell you is whether a harvest will be reaped from these efforts. I think there are enormous obstacles facing the administration and, if late in the day they decide they're willing to move and compromise, that I may end up being too late and it would all just fall flat.

MALE SPEAKER: I would just add to that, don't view the economy and health care as engaged in a zero [Unintelligible]. The more we have a jobless recovery, and, the more we have something close to deflation in many areas, including pricing in a lot of places, but continue to have health care inflation, the squeeze on companies to becomes greater and the need to push health care costs up onto the remaining employees and reduce their employment costs, which is one of the main reasons we are having a jobless recovery, is that companies are not able to reap more revenues on the price side, so they are trying to do it by cutting the cost side, the more people will be concerned with health policy and the more people will feel that they are losing the basic safety net of protection. The one issue that I think could dominate everything else is clearly the homeland security. If there is anything that leads us to believe that we have an even bigger threat to the homeland, it would obviously be another attack of some sort here, that would crowd out virtually everything else. Thank you.

MALE SPEAKER: Our last question...

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GARY FILERMAN: Gary Filerman (Misspelled?), Georgetown...Given all the efforts in the last 18 months to make the in important areas of minority population, what was your reaction to Michigan initiative, why was it necessary to even become involved in that and what is the risk there particularly against the Lott business, isn't that creating a potential snowballing issue that's going to haunt him.

MALE SPEAKER: I think a number of factors contributed to that decision, one, I think it's what the President believes and he's spoken to that in his campaign in the past and he is very insistent on making promises kept. What you say in a campaign should have an effect on what you do in government. In that sense, it's a rather attractive quality for a politician. We also expect our politicians to read the tealeaves of the body politic and if you have fewer votes than your adversary, your agenda some way, I think he believes it is very important to the Republican conservative fate. Affirmative action is one of those issues that energize activism. They wrote the brief, but it wasn't as ambitious as it could have been and they tried to play it down and then they tried to bring out other people and factors to soften it and they understand their role based on what they believe and what they thought the political of not really letting down one's political face on an issue of great salience to them. They had no choice. I think you're right of it being problematic. There is no chance of the administration

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making any further headway with Americans and interestingly, there is broad support for affirmative action among women, among Hispanics and that could prove politically problematic, but once again this is a case, the administration believes they can manage it through the rhetoric and the packaging. Just a couple of thoughts and I'll try to tie it back to healthcare as well. The fury that a lot of conservatives felt when Lott fell into this was we believe you can hold these very conservative view and not be racist and the notion that their views were tainted by a kind of through back position, hit a lot of them very, very deeply. Bush wants to carry that forward and start with the understanding as Tom said that he didn't believe it. Then he moves from that to a political calculus. Whether if you believe it, if you pursue your policy, it will be great. Partly I think they are less concerned from the American community particularly than they are about the Hispanic. The key to the future political success of George Bush and the Republican Party is capturing a significant proportion of the Hispanic vote. They are not worried that this will sharply increase the African-American vote [Unintelligible] motivated by the belief that [Unintelligible] and he's pretty confident that he can find other ways through soothing rhetoric, through his appointments to keep that from happening understanding that they are not going to increase their proportion of votes. I think they are vulnerable on the Hispanic side, partly because

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overall a sense that you are insensitive to the needs and the history of these populations, the Hispanics and the African-Americans view themselves generally as minorities. Two, you have a history in some areas of including a Republican push to denied various benefits to legal resident aliens, partly, well they don't vote, but they're friends and their relatives and their compatriots do. They saw it as an attack on them and then you have a strong anti-immigration sentiment at least within a sliver, a sizable sliver of the Republican Party doesn't share it, but that will also be a problem for them. One way you can compensate on the compassion side, by the way, the State of the Union message is, have as one of its major components, compassionate conservatism. The question is whether you can be compassionate and conservative and give some money to those that don't have much, including the working poor, people who are perusing the American dream and doing it the right way and yet find that they simply don't have an adequate savings, whether it's childcare if you're going out to work the requirements of 40 hours a week or have healthcare you can rely on. And if we end up with those areas being squeezed anymore, then they've got a problem. One part of the reason that we saw this movement back, a rather embarrassing one. Something you would not normally expect from the Bush administration. Taking a stand and then stepping back from it on the emergency coverage for Medicaid recipients was that they knew democrats

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would make this a big issue and play it in that way and look heartless to take on that fight right now, it wasn't worth it. They realized, I think, that they made a big political mistake in that direction, but they've got other abilities there that probably go beyond affirmative action. Well this session on the politics of health and how we move the midterm elections to see just how much of this matters the health policy agenda we will actually accomplish this year is now over but I want to strongly encourage you to join me and the distinguished panel of Katherine Clancy [Unintelligible] of the Journal Health Services Research session starting at 2:00 p.m. on how we move to build a research base on this very important health policy agenda. You certainly should thank this panel and while you are in the thanking mood, I would ask you to also join me in thanking the staff of the Health and Health Affairs who worked so hard to bring you now what I think is the premier National Health Policy conference. Thanks to the staff..

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