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# NEWS from U.S. Senator Bob Dole

(R.—Kans.)

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## DOLE LAUDS COURT RULING ON HOSPITAL REVIEW REQUIREMENTS

Commenting on a Federal court decision this morning to put off implementation of the so-called "utilization review" regulations, Senator Bob Dole applauded what he termed "a major victory for doctors and hospitals throughout the State."

"Although the ruling was only in the form of a preliminary injunction against the Department of Health, Education, and Welfare, it offers the best hope yet of easing the trend toward Federal interference with a physician's right to practice medicine -- and a patient's right to receive care in accordance with that physician's best judgment," Dole said. "Moreover, unless substantial changes are made or the judgment is successfully appealed, we may assume that a permanent injunction will follow."

The Senator explained that the Constitutional rights question was the primary one at issue in the legal action filed in Chicago earlier this year by the American Medical Association. The regulations involved would, by July 1, have required hospitals to have in operation a program for certifying within 24 hours that all Medicare and Medicaid admissions and subsequent care were justified.

"These rules had some honorable goals on the surface of improving the standard of care while eliminating unnecessary costs in Federal health programs," Dole advised. "But the practical effect was going to be a severe restriction on the application of timely tests and treatment procedures -- as well as a new maze of bureaucratic paperwork."

"The UR Regs were going to be particularly insurmountable for our smaller, rural hospitals due to stipulations that a physician who performed the service, or had a financial interest in the medical facility, could not participate in the review. Obviously, it would be impossible for any three-doctor institution in Western Kansas to comply."

Dole noted that he had been working with HEW officials to bring about modifications for the relief of these rural facilities, and that the Senate Finance Committee's Subcommittee on Health -- of which he is the Ranking Republican -- was drafting legislative clarifications. "Now, however, we will all have time to take a closer look at this whole area of regulation to see if it is really what we want and expect of our government's involvement in the health care field."