



**PRESS RELEASE**  
**FOR IMMEDIATE RELEASE**  
**From the Colorado Medical Society**

Press contact: Dean Holzkamp (720)-858-6318 or (303)-748-6113

---

August 18, 2006

**Op/Ed open letter to Commissioner Rivera concerning United/HealthONE dispute from CMS President Rick May, M.D.**

Commissioner Rivera, it's time for an intervention in the sumo-wrestling match between two of the big gorillas in the Denver health care arena. The contract between HealthONE, one of our state's largest hospital systems, and UnitedHealthcare, our largest HMO, expires at the end of this month. Unless the two behemoths kiss and make up in the next two weeks, as of September 1<sup>st</sup> United patients can no longer be treated at HealthONE hospitals. If they can't settle their differences, their failure is far more than a business deal gone bad.

Because most physicians have limited hospitals where they can admit patients and credentialing at a new hospital usually takes several months, we will likely see our patients scattered across four counties, forced to wait weeks or months for treatment, and have our ability to maintain the continuity of their care compromised. Patients will be utterly confused by all this and will inevitably hesitate to seek hospital services or end up paying out-of-network prices (potentially 100% of hospital charges) because they need care fast. Patients will face longer waits with more hassles, and all of the little guys in this market, physicians and our patients alike, will struggle with the additional paperwork needed to make sure that the two big dogs on the block still get paid what they think they're due. We're not worried about HealthONE or United. They're big boys. Because some percentage of United patients will inevitably end up in HealthONE facilities, the biggest hospital corporation in the U.S. will hardly feel the pinch. And even though it will likely hurt United's reputation in the short run, one can't feel much empathy for an insurance company that could buy and sell our state several times over.

We think this fight needs a referee, and Commissioner, we think it's time you stepped into the ring. We need you to blow a whistle, throw a flag, and throw a fit. Invoke your moral and legal authority to short-circuit their game of chicken. The "free market" you talk about isn't so free when two of the 800-pound gorillas that have come to dominate our health care system start limiting choices. Economists give this phenomenon an almost medical sounding term, a "bilateral oligopoly." This happens when there are too few buyers and sellers. While these big gorillas throw each other around

the mat, guess who gets trampled under foot? We don't know and don't care who's on top, who's asking too much, or who has the bargaining advantage. However, we do know that if you can't find a way to get them to stand down and settle their differences, you'll be reading a lot about the collateral damage: Delayed hospital admissions, decreased continuity of care, and disruptions in treatment that will, at a minimum, translate as higher medical costs.

When United was acquiring PacifiCare, we warned about this eventuality. You stepped up and though Colorado's outdated managed care laws tied your hands, you freed them long enough to impose a series of conditions on their conduct. This impending train wreck calls for similar action.

Now that the 30-day trigger has been pulled to notify physicians and patients of the impending collision and its real world, real time consequences, the cold reality should be setting in. Right here and right now is the time for you to take these two by the scruff of their necks and butt their heads. Knock some sense into them before it's too late. They won't like it, but we, and our patients will be grateful for your leadership.

Sincerely,

Richard G. May, M.D.  
President  
Colorado Medical Society  
7351 Lowry Blvd.  
Denver, CO 80230-6902  
720-859-1001

The Colorado Medical Society is a 135-year-old professional organization of 6,600 physicians dedicated to patient advocacy and excellence in the practice of medicine.