

July 6, 2009

Honorable Henry Waxman, Chairman
Joseph Barton, Ranking Member
Energy and Commerce Committee

Honorable Charles Rangel, Chairman
David Camp, Ranking Member
Ways and Means Committee

Honorable George Miller, Chairman
John Kline, Ranking Member
Education and Labor Committee

U.S. House of Representatives
Washington, D.C, 20510

Dear Chairmen Miller, Rangel and Waxman:

Our organizations write to request that you include best practices whistleblower protection for private sector healthcare workers who challenge fraud, waste, abuse, or violations of the standards and controls in this landmark health care legislation. They expand the scope of provisions in the discussion draft for narrower groups of workers such as employees of skilled nursing home facilities.

Since 2006 Congress has enacted or strengthened that cornerstone for accountability in six laws. They include consumer product manufacturing and retail commerce, railroads, the trucking industry, metropolitan transit systems, defense contractors, and all entities receiving stimulus funds.

Whistleblowers will be indispensable as the best resource that exists against fraud and other institutional misconduct. When recently surveyed by Price Waterhouse, more than 5,000 CEO's throughout the world reported that whistleblowers are more effective in detecting fraud than internal compliance offices, auditors and law enforcement agencies combined.

Of course, the need for whistleblowers hardly stops with cost control. The most significant concern is the quality and safety of patient care. Protecting whistleblowers in the medical industry has more life and death consequences than in any other industry. It is not realistic to expect that doctors, nurses and other providers will defend medical consumers when needed, however, if they cannot defend themselves against retaliation.

Our organizations deeply appreciate your consideration of this request. We will provide any available support that your offices need to help include this safety and accountability cornerstone in final legislation.

Sincerely,

Tom Devine
Legal Director
Government Accountability Project

Michael R. McCray, Esq.
Chairman
The 357 Commission

Gil Mileikowsky, M.D.
Alliance For Patient Safety

Jacqueline Brandwynne
CEO
Brandwynne Corporation

Lawrence S. Ottinger
President
Center for Lobbying in the Public Interest

Lokesh B Vuyyuru, M.D.
Founder
Concerned Citizens of Petersburg

DeAnn Friedholm
Director of Health Reform Campaign
Consumers Union

Elizabeth Combier
Editor
Parentadvocates.org

David B. Nolan, Esq.
Federal Ethics Center

Andrew D. Jackson
Deputy Coordinator
Focus On Indiana

Gwen Marshall
Georgians for Open Government

Roberta Mikles, RN BA
Director
Health Care Patient Advocates

James J. Murtagh Jr., M.D.
Co-chair
International Association of Whistleblowers (IAW)

Josephine Cicchini
Founder, Chairperson of the Board
LeapforPatientSafety.org

Jonathon Moseley
Executive Director
Legal Affairs Council

John McBride
"MCS" Beacon Of Hope Foundation's New Jersey Chapter

Zena D. Crenshaw
Executive Director
National Judicial Conduct and Disability Law Project, Inc.

Angel De Fazio
President
National Toxic Encephalopathy Foundation

Stephen Kohn
President
National Whistleblowers Center

Lewis Maltby
President
National Workrights Institute

Ron Marshall
Chairman
New Grady Coalition

Patrice McDermott
Director
OpenTheGovernment.org

Joseph Carson, PE
Chair
OSC Watch

Ashley Katz
Executive Director

Patient Privacy Rights

Dale Nathan, Board President
POPULAR, Inc. (Power Over Poverty Under Laws of America Restored)

Lisa Lavine Nagy M.D.
President
Preventive and Environmental Health Alliance Inc. (PEHA)

Danielle Brian
Executive Director
Project on Government Oversight

Angela Canterbury
Advocacy Director of Congress Watch Division
Public Citizen

Jennifer Dingman
Co-Founder
PULSE America

Blake Moore
President
Simmelweis Society International (SSI)

Denny Dobbin
President
Society for Occupational and Environmental Health (SOEH)

George Stokes
President
Texas State Client Council, Abilene Division

Dane vonBreichenruchardt
President
U.S. Bill of Rights Foundation