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file
NMA
Legislative
Adv. Committee

Dr. Leonidas H. Berry
412 E 47th Street, #26
Chicago, Illinois 60653

Dear Dr. Berry:

Loy Kirkpatrick, before leaving for Europe, handed me a voluminous file and asked me to pass on to you some of his suggestions.

I have not taken the time to thoroughly digest all of his material. However, I will attempt to set forth to you in summary form some of his ideas.

First and foremost, the legal situation insofar as substantive rights are concerned, is clear. Emphasis is now to be placed on overseeing the process of implementation.

Certain specific comments were made, including the following:

(1) The administration of the medicare program involves the drafting of regulations by the Department of Health, Education and Welfare. It appears that the American Medical Association has access to these regulations in the draft stage and has an opportunity to present its views before these regulations are placed in final form. Should not the National Medical Association be given access to these drafts and a similar opportunity to make suggestions concerning matters which should be contained in these regulations?

(2) The medicare law provides for various committees, such as utilization review committees. Should not NMA be consulted in connection with the selection of these committees and have appropriate representation on them?

(3) The medicare program involves contractual relations with participating hospitals. Hospitals may discriminate against minority doctors and patients directly or indirectly through by-law pro-

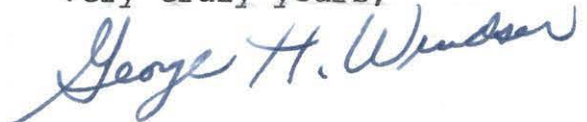
visions which require county medical society membership or personal endorsement prerequisite for medical staff privileges. Perhaps some attention should be given to inclusion in contracts with participating hospitals of provisions which would require that participating hospitals amend their by-laws or waive any restrictive provisions in such by-laws.

(4) The AMA-NMA Liaison Committee, inspite of the fact that Mr. Throckmorton is leaving as general counsel for the AMA and is being replaced by a possibly more conservative man, could be used as a vehicle for the informal consideration of specific problems. The natural scope of this committee would more logically cover cases of hospital discrimination against minority doctors and patients generally and the administration of the medicare program. The NMA could call attention to situations which might involve discrimination but would not assume the burden of proving that discrimination does in fact exist.

(5) Attention should be given to the financing of medical school education and research through grants from private foundations and the Federal Government. Perhaps the question could be considered whether Howard Medical School is receiving adequate appropriations from the Federal Government particularly for the salaries of the medical faculty.

I hope that these comments of Mr. Kirkpatrick will be helpful to you in considering the direction in which your administration, as president of the NMA, will take.

Very truly yours,



George H. Windsor

GHW:br