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September 4, 1996

"Portable Insurance?," Op-Ed, New York Times

Suzy Szasz
‘Portable’ Insurance?

By Suzy Szasz

ITHACA, N.Y. —

Signed with great fanfare last month by President Clinton, the Health Insurance Portability and Accountability Act is supposed to be a big step in health reform. And the people it purports to help the most are the millions like me who have a pre-existing condition.

I was diagnosed with systemic lupus erythematosus at age 13. I am now 41, and have had several serious (and expensive) flare-ups and a year of total disability. But I have had the good fortune to have worked for the same employer for the last 17 years.

For the chronically ill, it doesn’t exist.

The new law, sponsored by Senator Edward M. Kennedy, a Democrat, and Senator Nancy Kassebaum, a Republican, allows workers to maintain health insurance coverage if they change or lose their jobs. At the same time, it effectively bans insurers from denying coverage to people who have pre-existing conditions. But as good as this sounds, I’m not sure I’d want to consider changing or quitting my job just yet.

This legislation isn’t really health reform. It isn’t even health-insurance reform. It’s really nothing more than a form of unemployment insurance that will help some people who are between jobs.

The measure might not benefit people like me at all. The law requires only that individuals with pre-existing conditions have the same access to health insurance as the general (read, healthier) public. For example, those of us with pre-existing conditions could face a waiting period of up to 12 months with a new insurer, if we have never been previously covered by a group plan.

Nor does the law require that insurance be affordable for people with pre-existing conditions who are not working. For many people, this means that accessibility will be a somewhat hollow gain. As Representative Dennis Hastert, an Illinois Republican, noted earlier this year as the debate was taking shape: “There are a lot of Mercedez and Rolls-Royces out there that are available. The problem is, people don’t drive them because they can’t afford them ... that’s the same way in health care.”

The law could have gone further to make health insurance both available and affordable, by requiring companies to place price limits on premiums. But these days that would be seen as over-regulation of a largely private industry.

The concept of “portability” at the heart of this legislation is thus misleading. In the health insurance market, the customer and the consumer are not one and the same. The employer, not the employee, is the insurer’s customer. Workers do not “own” their health insurance policies the way they own their auto or life insurance.

It is remarkable that Democrats and Republicans agreed on an issue as divisive as “health care reform.” Perhaps that is a sign of how little was really accomplished in this case, and how much more needs to be done.

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