

## THOMAS P. MILLER

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### EDUCATION

**J.D.**, Duke Law School 1975

Duke Law Journal Editorial Board, Womble Scholar, Research Assistant to Professor Betsy Levin.

**B.A.**, New York University, Cum Laude 1972

University College Phi Beta Kappa, Major - Political Science, Minor - Economics & Mathematics.

### PROFESSIONAL EXPERIENCE

**Resident Fellow** (2006-Present) – **American Enterprise Institute**, Washington, D.C. Areas of research include information transparency, state regulation of health insurance, disparities in health outcomes, health care value measures, consumer-directed health care, uncompensated care, the medically uninsurable, and health care cost growth..

#### Selected Accomplishments

Published health policy studies and articles including The Defined Contribution Route to Health Care Choice and Competition, A Better Prescription, How to Cover Preexisting Conditions, Beyond Repeal and Replace, How to Reform ObamaCare Starting Now, Health Reform's Late-Term Delivery: Struggling with Political Birth Defects, Measuring Distributive Injustice on a Different Scale, Massachusetts: More Mirage than Miracle, An Information Prescription for Health Care's Cognitive-Disorder Problems, Why a Public Plan Is Unnecessary to Stimulate Competition, Health Exchanges, Making A Difference in Differences for Health Inequalities at the Individual Level, The Last Detail(s), What Do We Know about the Uninsured?, Covering the Uninsured: Springing A Leak in the 'Cost Shifting Hydraulic,' Hitting the Snooze Button on Our Medicare Fiscal Alarm Clock, An Individual Mandate for Health Insurance? The Insurance Fix, Simple Answers, Not Easy Solutions, and How Can We Make More Progress in Measuring Physicians' Performance to Improve the Value of Care?

Organized eighteen conferences and forums, commissioning and coordinating papers and presentations by academic scholars and health industry experts on various health policy issues, such as health insurance and health outcomes, aging and future health spending, information therapy for health care, the role of physician performance measurement, geographic variation in health spending, private health insurance markets, health reform before and after the Patient Protection and Affordable Care Act, constitutional law challenges to the new health reform law, choice and competition in health insurance regulation, hospital competition, and retail markets for health services.

Commissioned and edited studies by both outside scholars and AEI researchers on such topics as health insurance market competition, state health insurance regulations, health insurance reform, the value of private health plans, hospital industry structure, health information technology implementation, medical malpractice reform, the Bush administration's health tax reform proposal, HSAs and bad debt, income inequality and health, and health spending forecasts.

Speaking appearances and presentations at forums sponsored by American Enterprise Institute, Alliance for Health Reform, American Bar Association, American College of Physicians, American Economic Association, American Health Lawyers Association, American Legislative Exchange Council, American Risk and Insurance Association, American Society of Health Economics, America's Health Insurance Plans, Aspen Institute,

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Association of Health Care Journalists, Association of Private Enterprise Education, Brigham & Women's Hospital/Harvard Medical School, ERISA Industry Committee, Georgetown Law Center, George Washington University, Heritage Foundation, Health Affairs, Hudson Institute, Medical University of South Carolina, National Academy of Social Insurance, National Conference of State Legislatures, National Congress on the Un and Underinsured, National Consumer Driven Healthcare Summit, National Economists Club, Pacific Northwest Employee Benefits Conference, Senate Republican Policy Committee, Union League Club of Chicago, University of Illinois, University of Pennsylvania Wharton School, US Oncology, and World Health Care Congress Leadership Summit on Medicare.

Appointed to 3-year term on National Advisory Council for the Agency for Healthcare Research and Quality (2007-2009).

Health policy advisor and surrogate speaker for John McCain 2008 presidential campaign (2007-2008).

Member, National Academy of Social Insurance (2007-).

Peer reviewer for Health Affairs policy journal (five times).

Testified before Joint Economic Committee (the uninsured).

Made broadcast media appearances on Fox News, The O'Reilly Factor, CNBC, Hearst Television, BBC-TV, BBC-Radio, National Public Radio, Minnesota Public Radio, Oregon Public Radio, Wisconsin Public Radio, Southern California Public Radio, Diane Rehm Show, Bloomberg News Radio, and Inside E Street.

**Senior Health Economist (2003-2006) – Joint Economic Committee, Majority Staff, U.S. Senate,** Washington, D.C. Organized six hearings from 2004 to 2006 on such issues as consumer-directed health care, consumer health information tools, concierge care, net burden of health services regulation, health status of the elderly, and choice and competition in health insurance. Drafted two social security reform bills and managed their actuarial scoring by the Social Security Administration's chief actuary and the Congressional Budget Office in 2005. Managed introduction of "Sustainable Solvency First for Social Security Act of 2006" (S. 2427) in March 2006.

#### Selected Accomplishments

Published JEC studies include "How the Tax Exclusion Shaped Today's Private Health Insurance Market," "Medical Spending Growth and the Level of Insurance Spending," and "The Complex Challenge of the Uninsured."

Speaking appearances at forums sponsored by American Enterprise Institute, Alliance for Health Reform, Commonwealth Foundation, New American Foundation, Senate Republican Task Force on Health Care Costs and the Uninsured, Heritage Foundation, Cato Institute, Council for Affordable Health Insurance, American Legislative Exchange Council, and the Social Security Administration's Retirement Research Consortium.

Participated in expert meeting on National Long-Term Care Survey, working group for Medicaid Fiscal Integrity Project, and Technical Expert Panel for Phase II Cost of Health Services Regulation Study. Peer reviewer for Health Affairs policy journal (three times).

**Director, Health Policy Studies (2000-2003) – Cato Institute,** Washington, DC. Focused on restoring individual, choice, control, and responsibility to the U.S. health care system. Areas of research included consumer-driven alternatives to conventional employer-sponsored health insurance, Medicare reform, deregulation of private health insurance, and health privacy regulation.

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#### Selected Accomplishments

Organized and hosted Cato conference “Making A Federal Case out of Health Care: Five Years of HIPAA” (July 31, 2001). Guest editor, *Cato Journal* 22, no. 1 (Spring/Summer 2002).

Published 34 articles and studies, including: “Competitive Markets for Individual Health Insurance” (Health Affairs), “Improving Access to Care without Comprehensive Health Insurance Coverage” (Economic and Social Research Institute), “A Regulatory Bypass Operation” (Cato Journal), and “Genetic Privacy” (AEI-Brookings Joint Center for Regulatory Studies).

Commissioned and edited Cato studies on medical savings accounts, pharmaceutical industry issues, smallpox and bioterrorism, health services regulatory burden, HIPAA and health care fraud, HIPAA’s small-group access laws, HIPAA privacy, and defined contribution health plans, as well as Cato book, “Medicare’s Midlife Crisis.”

Organized 20 Cato policy forums, hosting 14 as moderator and participating as a speaker at 9.

Testified before House Judiciary Subcommittee on the Constitution (genetic privacy), House Small Business Subcommittee on Tax, Finance, and Exports (MSAs, FSAs, and tax credits), House Government Reform Subcommittee on Human Rights and Wellness (Medicare prescription drug safety net), Federal Trade Commission (mandated benefits) and House Financial Services Committee (terrorism insurance).

Made broadcast media appearances on CNN, Fox News Channel, MSNBC, National Public Radio, Diane Rehm Show, and McLaughlin One-on-One. Print media citations included Washington Post, Wall Street Journal, USA Today, Los Angeles Times, National Journal, Forbes, Financial Times, and Business Week. Appeared as regular panelist for health issues on “Doc in the House,” WMAL-AM, Washington (2001-2003).

**Director, Economic Policy Studies Program** (1993-2000) & **Senior Policy Analyst** (1986-1992) – **Competitive Enterprise Institute**, Washington, DC. Specialized in issues of entitlement reform, health care regulation, financial services regulation, and insurance regulation. Also primary analyst at various times for issues involving antitrust, privacy, trade, and fiscal policy.

#### Selected Accomplishments

Organized and hosted CEI conferences “Rethinking Insurance Regulation 1998” (April 1998), “Rethinking Antitrust Regulation” (June 1997), and “Rethinking Insurance Regulation” (March 1996). Organized CEI conference “The Future of Financial Privacy: Private Choices vs. Political Rules,” (December 1999).

Authored policy analyses and studies published on such issues as health care reform (19 publications), social security reform (8 publications), and banking reform (5 publications).

Made frequent broadcast media appearances to discuss public policy issues on C-SPAN, CBS Evening News, CNN, CNBC, CNNfn, Fox News Channel, National Empowerment Television, and Technopolitics.

Founded and directed Shadow Insurance Regulation Committee (1999-2000). Recruited five leading academic experts on insurance issues to periodically discuss regulatory policy and issue topical statements. Framed topics for review, provided background research, ran meetings, edited statements, and promoted media coverage of Committee activities.

Designed and supervised development of Social Security reform web page for CEI web site, including a sophisticated interactive retirement benefits calculator. Calculator featured monthly asset performance data, five separate asset classes, and ten model portfolios. Web page consistently received the most “hits” of any location on CEI web site. Calculator highlighted in Reader’s Digest cover story on Social Security reform.

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Designed and edited annual Competitive Enterprise Index (1986-1994). Most requested publication in history of CEI. Provided the most comprehensive analysis available of annual congressional voting on economic policy issues, featuring seven separate subindexes. Highlighted regularly in Almanac of American Politics. Material used to develop three Wall Street Journal op eds and an article for American Spectator.

Editor of Washington Antitrust Report (1986-1989). Wrote and edited quarterly review of regulatory, congressional, and academic developments in antitrust regulation.

### **Journalist, Washington, D.C., 1982-1986**

Various journalistic activities involving broadcast and print media.

### Selected Accomplishments

Consulting "Issues" Producer for Oliver Productions -- "The McLaughlin Group" and "John McLaughlin One on One" television programs (1986).

Investigative Reporter for syndicated columnist Donald Lambro (1985). Focused on federally funded biomedical research activities.

Free Lance Writer published by Wall Street Journal, Reader's Digest, and Reason (1982-1985).

### **OTHER SIGNIFICANT HISTORY**

Writer/Producer of "Focus," a twenty-minute daily current affairs program at Voice of America (1983-1984). Prepared shows covering topics involving foreign policy, defense policy, and domestic politics.

Sports Director -- WSOC-AM&FM, Charlotte, N.C. (1979-1981). Nightly Sports Talk Show Host, Play-by-Play Sportscaster for Davidson College basketball and Charlotte high school football and basketball, Sports News Anchor. UPI National Broadcast Award - Outstanding Sports Coverage 1981. Selected as lead announcer for 1980 Shrine Bowl (annual NC-SC High School all-star football game).

News Director -- WANS-AM&FM, Anderson, S.C. (1978-79). Play-by-Play sportscaster for Anderson College basketball, Westside High School football, and American Legion baseball.

Hosted "The Sports Corner" -- WGST-AM, Atlanta, Ga. (1978-79). Co-founded a "fan-hosted" weekly sports talk show. Top rated in its time slot for key demographic (Males, 25-49).

Assistant News Director -- WRGA-AM, Rome, Ga. (1977-78).

Attorney -- Powell, Goldstein, Frazer & Murphy, Atlanta, Ga. (1975-1977). Trial litigation, appellate argument, depositions, legal research and brief writing. Involved areas of personal injury, insurance defense, criminal defense, medical malpractice, and copyright (1975-1977). Lead attorney in lawsuit challenging State of Georgia's proposed Medicaid regulations (1975-1976).

### **ASSOCIATIONS**

Member – Academy Health, National Academy of Social Insurance, State Bar of Georgia

**SELECTED PUBLICATIONS**

“A Defined Contribution Route to Health Care Choice and Competition,” American Enterprise Institute, December 2010.

“Debunking Richard Cohen: How Does the U.S. Health Care System Stack Up?” National Review Online, November 15, 2010.

“Post-Election Predictions for ObamaCare,” Medical Progress Today, November 11, 2010.

“Beyond Repeal and Replace,” Forbes.com, November 3, 2010.

“How to Reform ObamaCare Starting Now,” with Scott Gottlieb, Wall Street Journal, October 14, 2010.

“Another Empty Promise of ObamaCare: More Jobs,” The Enterprise Blog, October 2, 2010.

“Out-of-Pocket Theory for Health Spending Cutbacks Is ‘Clueless,’” with Rohit Parulkar, Health Affairs Blog, September 24, 2010.

“It Depends What the Definition of ‘Uninsured’ Is,” The Enterprise Blog, September 15, 2010.

“Targeted Care,” St. Louis Post-Dispatch, September 6, 2010.

“Docs: Running to Stand Still,” American.com, August 1, 2010.

“Changing the Name, but Not the Political Game,” Health Affairs Blog, July 30, 2010.

“Plugging the Leaks in High-Risk Pools,” The Enterprise Blog, July 1, 2010.

“Health Reform: Only A Cease-Fire in a Partisan Hundred Years’ War,” Health Affairs, June 2010.

“How to Cover Preexisting Conditions,” with James Capretta, National Affairs, Summer 2010.

“Group and Individual Insurance Markets,” Health Affairs, letter to the editor, April 2010.

“The Morning After: Waking Up with a Coyote Ugly Health Bill,” American.com, March 23, 2010.

“More Correlation than Causation,” National Journal Experts Blog – Health Care, March 15, 2010.

“Numbers that Border on ‘Udder’ Nonsense but Are Milked for All They Are Worth,” National Journal Experts Blog – Health Care, March 12, 2010.

“Death of a Sales Job (A Three Act Ploy),” Health Affairs Blog, March 5, 2010.

“Health Reform's Weekdays at Bernie's (Is It Dead, Yet?),” Medical Progress Today, March 5, 2010.

“No Straw Man Left Behind,” The Enterprise Blog, February 26, 2010.

“A Better Prescription: AEI Scholars on Realistic Health Reform,” with Joseph Antos, AEI, February 23, 2010.

“Showdown at Blair House,” with Joseph Antos, National Review Online, February 23, 2010.

“Been There, Done That,” National Journal Experts Blog – Health Care, February 23, 2010.

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“Taking Health Policy Ideas Seriously.” National Journal Experts Blog – Health Care, February 21, 2010.

“Health Reform Summitry’s Limbo Rock,” National Journal Experts Blog – Health Care, February 11, 2010.

“What Role for Government in Health Care,” Grand Valley State University Summit on Health Care Reform, January 28, 2010.

“Why a Public Plan Is Unnecessary to Stimulate Competition,” with Christopher J. Conover, AEI Working Paper, January 26, 2010.

“Ceasefire Is Another ‘Once in a Lifetime’ Chance for Reform,” The Enterprise Blog, January 20, 2010.

“The Triumph and Tragedy of Health Politics,” The Enterprise Blog, December 22, 2009.

“Squaring Healthcare with the Economy,” Council on Foreign Relations, December 8, 2009.

“Analyzing the Healthcare Bills,” Medical Progress Today, November 18, 2009.

“The Insurance Fix,” with James Capretta, National Review, November 2, 2009.

“How Can We Make More Progress in Measuring Physicians’ Performance to Improve the Value of Care?” with Troyen Brennan and Arnold Milstein, Health Affairs, September/October 2009.

“Health Insurance Cooperatives: Too Weak, Too Strong, or Still Too Undefined?” AEI, September 8, 2009.

“Health Exchanges: Different Political Railroad Tracks to the Same Station?” Health Affairs Blog, September 4, 2009.

“What the Health Care Reform Plans Get Wrong,” MoneyWatch.com, August 17, 2009

“Should We Fight Today’s War on Obesity Like the Last War on Tobacco,” American.com, August 7, 2009.

“Healthcare Dreams, Healthcare Realities,” American.com, July 16, 2009.

“Fatal Flaws: Five Healthcare Questions for President Obama,” The Enterprise Blog, June 24, 2009.

“Will the Health Industry Derail Obama's Reforms?” Washington Post, June 16, 2009.

“Connecting an Individual Mandate to the Budget: What’s the Big Deal?” National Journal Experts Blog – Health Care, June 12, 2009.

“Is the Big Dog Off the Porch, or Still Hiding Under It?” The Enterprise Blog, June 12, 2009.

“The AMA Rejoins the Fight,” The Enterprise Blog, June 12, 2009.

“False Hopes, Empty Illusions,” USA Today, June 10, 2009.

“Taxing Insurance Isn’t the Answer,” The Wall Street Journal, letter to the editor, June 10, 2009

“The Last Detail(s),” American Enterprise Institute, June 4, 2009.

“What You Don’t Know Can Hurt You,” American.com, May 27, 2009.

“Promises, Promises: Healthcare Scorecard Update,” The Enterprise Blog, May 18, 2009.

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- “About that Down Payment for Healthcare Reform (Missing Money Edition),” The Enterprise Blog, May 15, 2009.
- “The Immaculate Misconception,” The Enterprise Blog, May 12, 2009.
- “Topic A: Obama Gains Momentum on Health Care?” WashingtonPost.com, May 11, 2009.
- “A Healthcare Collision Course: Treating Different People Differently,” The Enterprise Blog, May 8, 2009.
- “In the Tanks: Debating Health Care Reform,” WashingtonPost.com, April 29, 2009.
- “Obama Healthcare 2.0,” American.com, April 2, 2009.
- “Would the Health Reform Prescriptions Offered by President Obama and Congressional Leaders Help Patients?” Health Policy Consensus Group Statement, April 1, 2009
- “Uncle Sam, M.D.,” American Enterprise Institute, Contributing three articles - “Making a Difference in Differences for the Health Inequalities of Individuals,” “Covering the Uninsured—Springing a Leak in the ‘Cost Shifting Hydraulic,’ “ and “Hitting the Snooze Button on Our Medicare Fiscal Alarm Clocks,” April 2009.
- “\$634 Billion for Health Care Reform?” National Journal Expert Blogs – Health Care, March 2, 2009.
- “Don’t Follow Our Example, Either,” with Aparna Mathur, Health Affairs, letter to the editor, January/February 2009
- “Simple Answers, Not Easy Solutions,” Health Affairs, November/December 2008.
- “Tax Changes for Health Care?” National Journal Expert Blogs – Health Care, October 23, 2008.
- “What Will Reform Look Like in 2009?” National Journal Expert Blogs – Health Care, October 15, 2008.
- “It’s Gonna’ Cost Ya!” Campaign & Election Politics magazine, October 2008.
- “Health Plan Scoring that Runs Out of Bounds,” Health Affairs Blog, September 25, 2008.
- “Covering the Uninsured: Springing A Leak in the ‘Cost Shifting Hydraulic,” Health Affairs Blog, September 4, 2008.
- “What Do We Know about the Uninsured?” The American, July/August 2008.
- “Hitting the Snooze Button on Our Medicare Fiscal Alarm Clock,” On The Issues, American Enterprise Institute, June 17, 2008.
- “Roundtable Discussion: Telephone-Based Medical Consultations,” Telemedicine and e-Health, May 2008.
- “Measuring Disparities, Improving Health: Closing the Gap,” Health Affairs, March 17, 2008.
- “Making A Difference in Differences for the Health Inequalities of Individuals,” Health Affairs, September/October 2007.
- “The Making of the Next President’s Health Plan: Will It Be Déjà Vu of 1992?” Ripon Forum, June/July 2007.
- “Maxing Out on Debt Hysteria,” American.com, June 20, 2007.

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“Transparency in Health Care: What Consumers Need to Know,” AEI, April 18, 2007 (adapted from Heritage Foundation lecture of October 3, 2007).

“Medicare Advantage: Policy Fact Sheet,” lead author with Joseph Antos and Doug Badger, along with fifteen other signatories from the Consensus Group, March 21, 2007.

“Assessing Health Care’s Costs,” Washington Post, letter to the editor, February 9, 2007.

“Medicare Part D and Prescription Drug Prices,” with Joseph Antos et al. Policy Fact Sheet, Galen Reports, January 5, 2007.

“Health Policy 2007,” Washingtonpost.com, December 15, 2006.

“Measuring Distributive Injustice on a Different Scale,” Law & Contemporary Problems, Autumn 2006.

“Massachusetts: More Mirage than Miracle,” Health Affairs, September 14, 2006.

“An Information Prescription for Health Care’s Cognitive-Disorder Problems,” Health Affairs, September/October 2006.

“A Five-Step Health Spending Diet: More Homeopathy than Free-Market Therapy,” Health Affairs, May/June 2006.

“Cost Sharing Revisited,” Health Affairs, letter to the editor, May/June 2006.

“Driver’s Ed for Backseat Drivers,” Health Affairs, November/December 2004.

“Choice and Drug Costs,” Washington Post, letter to the editor, February 27, 2004.

“How the Tax Exclusion Shaped Today’s Private Health Insurance Market,” Joint Economic Committee, December 17, 2003.

“Medicare Reform Is Market-Based in Name Only,” The Hill, June 18, 2003.

“Not All Medical Choices Should Be Subsidized,” Washington Times, June 14, 2003.

“What Bush Didn’t Say about Medicare Reform,” Health Care News, April 2003.

“Quick Fixes Are Toxins,” The World & I, March 2003.

“Can Medicare Ever Graduate from Reform School?” Cato Commentary, January 28, 2003.

“Public Health Care,” Cato Handbook for Congress, January 2003.

“Private Health Care,” Cato Handbook for Congress, January 2003.

“Insurance Regulation and Government Insurance,” with Scott Harrington, Cato Handbook for Congress, January 2003.

“Managed Care Reform?” Washington Association of Health Underwriters Outlook, December/January 2002.

“Creating A Safe and Effective Medicare Drug Benefit,” Pfizer Forum, December 2002.

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- “Improving Access to Health Care without Comprehensive Health Insurance Coverage,” In *Covering America: Real Remedies for the Uninsured*, edited by Elliot K. Wicks and Jack A. Meyer. Washington: Economic and Social Research Institute, 2002.
- “Competitive Markets for Individual Health Insurance,” with Scott Harrington, *Health Affairs*, October 23, 2002.
- “Should Insurance Consumers Fear Genetic Testing?” *Consumers’ Research*, October 2002.
- “More on the Employer Insurance Tax Exclusion,” *Health Affairs*, letter to the editor, October 3, 2002.
- “Genetic Privacy,” AEI-Brookings Joint Center for Regulatory Studies, October 3, 2002.
- “Medicare Shortcomings,” *New York Times*, letter to the editor, August 4, 2002.
- “New Efforts Underway to Inject Competition into Medicare,” *Health Care News*, August 2002.
- “A Regulatory Bypass Operation,” *Cato Journal*, Spring/Summer, 2002.
- “The Medicare Drug Benefit War,” *FOXNews.com*, July 17, 2002.
- “The Health Insurance Portability and Accountability Act: More Than We Bargained for, and Less,” *Cato Journal*, Spring/Summer 2002.
- “Competitive Alternatives to Medicare,” in *Privatization 2002*, Chapter 1, Reason Public Policy Institute (April 2002).
- “A Risky Business: Government Is Not the Cure for the Insurance Markets,” with Peter VanDoren and John Samples, *National Review Online Financial*, January 25, 2002.
- “A Displaced Plan: They’re Calling It Health Care, But It’s Really Income Redistribution,” *National Review Online Financial*, January 24, 2002.
- “MSAs Get a Second Look,” *Health Care News*, January 2002.
- “New Views on Terrorism Insurance Don’t Look So Nice for Taxpayers,” with John Samples and Peter VanDoren, *American Banker*, December 7, 2001.
- “An Asymmetric Bias for Government Regulation,” with Veronique de Rugy, *Health Care News*, December 2001.
- “Taxpayers Shouldn’t Fund Insurance Risks,” with John Samples and Peter VanDoren, *National Post*, November 27, 2001.
- “Insuring Against Terror,” with Scott Harrington, *National Review Online Financial*, November 5, 2001.
- “Making A Federal Case Out of Health Care,” *Washington Times*, August 1, 2001.
- “Litigate or Regulate: How Managed Care Was Lost,” *National Review Online*, July 3, 2001.
- “Health Care,” in *Cato Handbook for 106<sup>th</sup> Congress*, January 2001.
- “Disaster Assistance and Government Insurance,” (with Scott Harrington) in *Cato Handbook for 106<sup>th</sup> Congress*, January 2001.

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“Dumb and Dumber: Two Wrongs Don't Make A Patients' Bill of Rights,” CEI OnPoint, July 1999.

“Speedbumps, Potholes, and Detours on the Road to Social Security Reform,” Competitive Enterprise Institute, July 1999.

“Getting Beyond the Managed Care Backlash,” Regulation, Winter 1998.

“How to Get Real Social Security,” Reader’s Digest, December 1998.

“Competitive Pricing for Medicare,” LTC News & Comment, August 1996.

“Removing Individual Health Risk from Health Insurance? Incremental Regulation versus Market Choices,” Competitive Enterprise Institute. March 8, 1996.

“Report of the Task Force on Social Security,” chapter author and editor of study published by Citizens Against Government Waste, August 1994.

“Nickles-Stearns Is Not the Market Choice for Health Care Reform,” Cato Institute, June 1994.

“A Citizen's Guide to Banking Reform,” monograph published by Citizens Against Government Waste, December 1992.

Published in Health Affairs (20 times), Wall Street Journal (9 times), Washington Post (6 times), Reader's Digest (3 times), USA Today (3 times), New York Times (2 times), Cato Journal (2 times), Reason (2 times), National Affairs, Law & Contemporary Problems, Regulation, American Banker, American Spectator, Los Angeles Times, The American, American.com (7 times), Forbes.com, FoxNews.com, National Review Online (7 times), Health Care News (5 times), Washington Times (3 times), Insight, Consumers Research, The World & I, Cleveland Plain Dealer, Baltimore Evening Sun, Hartford Courant, Los Angeles Daily News, St. Louis Post-Dispatch, The Hill.

### **SELECTED SPEECHES & FORUMS**

“Navigational Assistance for the Defined Contribution Reform Roadmap,” AEI Conference, December 8, 2010.

“Beyond ‘Repeal and Replace’: Ideas for Real Health Reform,” AEI Conference, December 8, 2010.

“Beyond ‘Repeal and Replace,’ Hudson Institute conference, Advice to the New Congress, November 5, 2010.

“Next Steps in Health Reform,” Aspen Institute 2010 Health Policy Symposium, November 15, 2010.

“Will Health Care Ever Graduate from Reform School,” Susi Silber Distinguished Lecture Series, October 9, 2010.

“Health Care and Job Creation,” National Journal Prescription for Growth forum, September 16, 2010.

“Plugging the Leaks in High-Risk Pools,” AEI and National Affairs Hill Briefing, July 19, 2010.

“Replacing ObamaCare with Real Health Reform,” AEI and National Affairs Hill Briefing, July 19, 2010.

“Health Reform: An Initial Checkup,” AEI Conference, June 15, 2010.

“Politics of Health Reform,” Health Affairs Moving Forward on Health Reform conference, June 8, 2010.

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“Tax Treatment of Health Care,” Association of Private Enterprise Education annual conference, April 13, 2010.

“Reform the Reform: A More Virtuous Cycle,” Association of Private Enterprise Education annual conference, April 12, 2010

“Health Reform & Individual Insurance: Magic without Markets?” AEI Book Forum, featuring Mark Pauly, April 1, 2010.

“Health Care Reform: A Debate among the Policy Experts,” American Constitution Society & Federalist Society, Columbia Law School chapters, New York City, February 11, 2010.

“The Debate,” Hauenstein Center for Presidential Studies, Grand Valley Summit on Health Care Reform, Grand Rapids, Michigan, January 28, 2010.

AEI Politics Watch, Session I, January 14, 2010.

“A Mitigated Disaster: The Triumph & Tragedy of Health Politics,” Prince William County Chamber of Commerce, “What Will Health Care Reform Mean for You?” Forum, January 13, 2010.

“State Constitutional Protections & National Health Reform: When One Size Doesn’t Fit All,” National Conference of State Legislatures webinar, December 3, 2009.

“Information Therapy for U.S. Health Care’s Cognitive-Disorder Problems,” AEI Conference, December 2, 2009.

“Health Reform 2009: Still Lost, But Making Good Time?” Fairfax Chamber of Commerce & Thomas Jefferson Institute for Public Policy Conference, November 19, 2009.

“Looking for Better Health in All the Wrong Places: The Road to “Equality” Hits a Dead End,” 16<sup>th</sup> Annual Thomas A. Pitts Lectureship in Medical Ethics, “The Graying of America: Challenges and Controversies,” at the Medical University of South Carolina, Charleston, SC, October 30, 2009.

“What Can We – and Should We – Expect from the Administration & Congress in Expanding Healthcare Coverage: Part II.” American Bar Association 7<sup>th</sup> Annual Washington Health Care Summit, October 27, 2009.

“It Only Seemed Like A Good Idea at the Time,” Southern Law Network forum, October 24, 2009.

“Fixing Private Health Insurance: Protection against High Risk Redefinition” AEI Conference, October 21, 2009.

“More Facts & Fables: Private Health Insurance Markets.” AEI Conference, October 21, 2009.

“Health Reform 2009: We’re Lost, but We’re Making Good Time,” Pacific Northwest Employee Benefits Conference, Portland, Oregon, October 14, 2009.

“The Risk/Reward Calculus Ahead for Health Savings Accounts,” Annual Healthfinder.com Conference, October 13, 2009.

“Health Care Reform on the Hill: Where We’ve Been and Where We’re Going,” Blue Skies and Brickwork Summit, September 23, 2009.

“AEI Health Care Reform Conference Call,” Edited Transcript, July 22, 2009.

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“Competitive Bidding: Looking for Medicare’s Market Prices in Politically Incorrect Places?” World Health Care Congress 5th Annual Leadership Summit on Medicare, July 13, 2009

“Patient-Centered Care versus Political Medicine,” AEI Forum featuring Rep. Tom Price and Donald Palmisano, M.D., June 26, 2009.

“The Five (not so) Easy Pieces of Health Reform and The Last Detail(s),” AEI Conference, June 4, 2009.

“A One-Way Road to Over Regulation & Reduced Choice: National Health Insurance Exchanges,” Consensus Group Capitol Hill Briefing on “Challenges in the Health Reform Debate: Policy Proposals by President Obama and Congressional Leaders,” June 1, 2009.

“Information Therapy for U.S. Health Care’s Cognitive-Disorder Problems,” Marketing & Public Policy Conference on The Role of Quality Information in Healthcare Markets, May 29, 2009.

“An Individual Mandate for Health Insurance? We Could Do that, but It Would Be Wrong,” Georgetown Law Center, April 27, 2009.

“Parsing the Uninsured Numbers: Duck & Cover, or Solve the Real Problems?” AEI on the Hill Health Briefing, “Uncle Sam, M.D.: How to Think about Health Care Reform,” April 21, 2009.

Speaker at annual Urban Institute Budget Roundtable, March 4, 2009.

“The State of Health Policy: Obama 2009 & the Mysterious Beyond,” AEI forum on The 2009 State of the Union: Change and Continuity, January 13, 2009.

“State Trials and Errors: Do We Need a Bigger Boat, or Different Navigation Tools?” American Economic Association annual meeting, San Francisco, January 4, 2009.

“Is Past Political Performance A Guarantee of Disappointing Future Results?” AEI book forum on Health Reform – Guaranteed? December 8, 2008.

“The (Temporary) Ascendancy of Politics over Markets,” Consumer Health World Summit – Leadership Forum, December 7, 2008

“Childhood Obesity,” Southern California Leadership Panel, Los Angeles, November 14, 2008.

“Health Policy for 2009 & the Mysterious Beyond,” U.S. Oncology pharmacy & therapeutics committee, post-election health policy assessment, November 8, 2008.

“Health Care in the Next Administration,” Brigham & Women’s Hospital/Harvard Medical School Bioethics Rounds, Boston, October 28, 2008.

“It Might Take A Licking, But Keeps on Ticking: Consumer-Driven Health Care,” Impact of the November Elections, National Consumer Driven Healthcare Summit, October 21, 2008.

“The Presidential Candidates: A Comparison of Their Health Care Platforms,” Society of Actuaries annual meeting, October 21, 2008.

“Medicare Home Implementation in the Next Administration,” Patient Centered Primary Care Collaborative 2d annual summit – “Healthy Momentum: The Patient-Centered Medical Home,” October 17, 2008.

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“Health Care Reform: 2009 and Beyond,” George Washington University Residency Fellowship in Health Policy, October 14, 2008.

“Health Policy for 2009 and the Mysterious Beyond,” Alliance Health Plans Broker Summit, Urbana, Illinois, October 10, 2008.

“National Health Care Reform: We Get the Policy Debate We Deserve,” University of Illinois Law School, October 10, 2008.

“Healthcare under a McCain or Obama Administration,” Campaign & Elections’ Politics magazine health care roundtable, October 8, 2008.

“The Health Care Politics of Presidential Election Campaigns,” Greenwall Fellowship Program in Bioethics and Health Policy, Johns Hopkins Berman Institute of Bioethics, September 29, 2008.

“Still Passing the Buck While Paying More Bucks?” AHIP Medicaid conference, September 24, 2008.

“Comparative Efficacy – Has the Time Come?” Atlas Venture Life Sciences retreat, St. Tropez, September 22, 2008.

“Presidential Agenda’s Impact on Consumers: Coverage or Affordability,” Consumer Health & Wellness conference, September 16, 2008.

“Federalism & Health Policy: ‘We Are All Federalists Now ... At Least Some of the Time’,” AEI conference on The Future of Federalism, September 12, 2008.

“Geographic Monopolies versus Choice & Competition in Health Insurance Regulation: Starting A Market-Driven Race to the Top,” AEI conference on An Interstate Commerce Route to A National Market for Health Insurance, July 31, 2008

“Beyond More Health Insurance Coverage, Toward Better Health Outcomes,” AEI conference, featuring James Heckman, Barak Richman, Robert Kaestner, David Wennberg, Michael McGinnis, Louise Russell, Tomas Philipson, Richard Frank, and Edward Hill, July 23, 2008.

“How Will the Presidential Candidates Fix Social Security and Medicare?” National Academy of Social Insurance Summer Intern Academy, July 17, 2008.

“Tax Treatment of Health Care: Matching Objectives & Instruments,” Senate Republican Policy Committee, July 14, 2008.

“Woulda, Coulda, Shoulda: Health Policy for 2009 & The Mysterious Beyond,” Meet the Health Policy Makers conference, July 11, 2008.

“There Must Be A Pony in Here, Somewhere,” The Candidates’ Perspectives on Health Care Reform, American Health Lawyers Association annual meeting, San Francisco, June 30, 2008.

“Aging and Future Health Care Spending: Red Herrings, Time to Death, and Insurance Choices,” AEI forum, featuring Peter Zweifel, James Lubitz, Louise Sheiner, and Phil Ellis, June 27, 2009.

“National Health Care Reform: Curb Your Enthusiasm,” American Society of Health Economics biannual meeting, June 25, 2008.

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“Assessing the Burr-Coburn Health Reform Bill,” AEI on the Hill Forum on Responsible Health Reform: Competition, Innovation, and Individual Control, June 19, 2008.

“Health Policies of the Presidential Candidates,” International Housewares Association Government Affairs Committee annual meeting, June 17, 2008.

“What Should Our Next President Do about Health Care Costs?” AARP Solutions Forum, June 13, 2008.

“Health Care Reform: Are We Still Lost, but Making Good Time?” ERISA Industry Committee forum, June 11, 2008.

“2008 ALEC Legislative Leaders Health Care Forum,” American Legislative Exchange Council, Missoula, Montana, June 7, 2008.

“Presidential Candidates on Health Policy,” MPM Capital’s Annual Health Care Leaders Summit and Retreat, Bachelor Gulch, Colorado, June 6, 2008.

“Overhauling the Health Care System—2008 Presidential Plans: A Discussion with Presidential Health Policy Advisors,” Women in Government Relations, May 19, 2008.

“Reforming the Health Care System: Positions of the Leading Presidential Candidates,” American College of Physicians, May 16, 2008.

“Presidential Candidates’ Responses to the Aspen Health Stewardship Project Questionnaire,” Aspen Institute Hill briefing, May 14, 2008.

“Presidential Candidates on Health Information Technology Policy,” Collaborative Communications Summit, May 5, 2008.

“Health Care 2008,” Young Republican National Federation, May 2, 2008.

“Hitting the Snooze Button on Our Medicare Fiscal Alarm Clock,” Medicare Drifting Towards Disaster forum, April 29, 2008.

“The Presidential Health Care Agenda,” Keynote panel, World Health Care Congress, April 21, 2008.

“Which Way for Health Reform,” Association of Health Care Journalists, March 28, 2008.

GU Votes 08 Healthcare forum, Georgetown University, February 19, 2008.

“Are We Still Lost, but Making Good Time?” Mercer forum on The Changing Landscape of Healthcare, February 13, 2008.

“Presidential Candidates Health Care Reform Proposals,” Academy Health National Health Policy conference, February 4, 2008.

“National Health Reform: Curb Your Enthusiasm,” Union League Club of Chicago forum on “Primary Health Care,” January 28, 2008.

“National Health Reform: Curb Your Enthusiasm,” National Congress on the Un and Underinsured, December 9, 2007.

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- “Health Care Costs: Trends, Causes, Truth & Consequences,” AEI forum on The Long-Term Outlook for Health Care Spending, November 27, 2007.
- “Delivering Better Value in U.S. Health Care: The Role of Physician Performance Measurement,” AEI Conference, featuring HHS Secretary Mike Leavitt, Elliot Fisher, Arnold Milstein, Robert Krughoff, Earl Steinberg, Donald Casey, and Steven Pearson, November 5, 2007.
- “Universal Coverage: Curb Your Enthusiasm,” Alliance for Health Reform briefing on State Coverage Initiatives, October 26, 2007.
- “Making A Market for Healthier Americans,” George Washington University, October 17, 2007.
- “What We Think We Know, That Isn’t So,” National Economists Club, September 27, 2007.
- “Turbo-Charging Consumer-Driven Health Plans with Tax Reform: Cost and Coverage Effects,” American Enterprise Institute Forum, featuring Roger Feldman, Steve Parente, Gary Claxton, Anthony Lo Sasso, and Phil Ellis, September 20, 2007.
- “Vulnerable Populations: Beyond Insurance,” Health Affairs briefing, September 11, 2007.
- “Markets for Medicare,” National Academy of Social Insurance, August 3, 2007.
- “Can We Get It for You Retail? Moving Beyond Wholesale Markets for Health-Care Services,” American Enterprise Institute Forum, featuring Gary Ahlquist, Paul London, Jay Silverstein, and Mark Smith, July 25, 2007.
- “Reforming Health Care – What Are the Choices?” Hill Staff Briefing regarding The Healthy Americans Act sponsored by Senators Wyden and Bennett, June 12, 2007.
- “State Trials and Errors: Activity Isn’t Accomplishment,” AIDS Institute conference on Universal Health Care Access, June 8, 2007.
- “Robin Hood, Robber Baron, or Rubik’s Cube? How Fair Is the Distribution of Benefits in the U.S. Health-Care System?” American Enterprise Institute conference, featuring Clark Havighurst, Barak Richman, Alain Enthoven, and David Hyman, May 31, 2007.
- “Pooling in Shallow Water? R & R in Individual Insurance Markets,” American Enterprise Institute forum, May 11, 2007.
- “Costs, Coverage, & Contrarian Comments,” Leadership Health Care delegation conference, March 8, 2007.
- “Health Care Costs: Trends, Causes, Consequences,” HS Dent Adviser’s Network conference, March 6, 2007.
- “Tax Treatment of Health Care: Are We Shifting, or Grinding, Gears?” AEI conference, February 26, 2007.
- “Tax Treatment of Health Care: Can We Shift Gears?” Heritage Foundation Hill Briefing, February 23, 2007.
- “Is the Massachusetts Health Plan America’s Next Top Model?” AEI forum featuring Mark Pauly, John Holahan, John McLaughry, and Holly Benson, January 11, 2007
- “Health Care Policy Choices: From Inside the Beltway to the Mysterious Beyond,” Health Care Systems lecture, The Wharton School, University of Pennsylvania, November 30, 2006.

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“Emerging Issues for 2007,” PhRMA Alliance Development Section annual meeting, November 8, 2006.

“Scoring the Plays in U.S. Health Care: Upon Further Review, Less & More than Meets the Eye,” Alliance for Health Reform briefing on America’s Health System Scorecard, October 11, 2006

“Information Therapy for U.S. Health Care’s Cognitive Disorder Problems,” Heritage Foundation forum on Transparency in Health Care. October 3, 2006.

“Tax Treatment of Health Care,” American Risk and Insurance Association annual meeting, August 7, 2006.

“Sustainable Solvency for Social Security,” Social Security Administration Retirement Research Consortium conference, August 11, 2005.

“HSAs and Health Policy,” The Commonwealth Fund forum, June 30, 2005.

“Improving Health Outcomes and Health Services Value,” Heritage Foundation forum, June 29, 2005.

“Do Health Accounts Promote Better Spending?” American Enterprise Institute forum, June 29, 2005.

“Increasing Access to Affordable Health Insurance: Voluntary Pooling,” Council for Affordable Health Insurance briefing, May 3, 2005.

“Geographic Monopolies vs. Choice and Competition in Health Insurance Regulation,” Cato Institute forum, March 1, 2005.

“Improving Health Care: Direct-to-Consumer Competition,” American Enterprise Institute forum, November 8, 2004.

“Consumer-Driven Health: On the Road, with Speed Limits,” Alliance for Health Reform forum, July 9, 2004.

“Improving Access to Care without Comprehensive Health Insurance: Lower the Costs versus Raise the Subsidies,” New America Foundation forum, February 24, 2004.

“Tax Treatment of Health Insurance,” Senate Republican Task Force on Health Care Costs and the Uninsured, staff briefing, December 11, 2003.

“Consumer-Driven Care: Taking Off the Training Wheels for All-Terrain Vehicles,” American Legislative Exchange Council Health Care Costs Academy conference, November 15, 2003.

“Health Care Choices: Consumer Empowerment through Competitive Markets vs. the Coerced Compassion of Centralized Commands,” Medical Society of Johnson & Wyandotte Counties forum, Shawnee Mission, Kansas, September 30, 2003.

“Smallpox and Bioterrorism: The Threat, the Risks, and Why the Vaccination Plan Is Stalled,” Cato Hill Briefing featuring William Bicknell and Kenneth Bloem, September 17, 2003.

“Federal and State Health Policy: Plus Ça Change, C’est Le Meme Chose? Ordering Off the Menu,” Atlas Foundation/State Policy Network Health Care Summit, September 11, 2003.

“Medicare Reform in the House-Senate Conference: No Way Out? Or Finding another Way?” Cato Hill Briefing featuring Rep. Paul Ryan and Tom Miller, July 22, 2003.

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“We Could Fix Things If Only We Concentrated on A Few Fundamentals,” National Student Leadership conference, July 9, 2003.

“More Medicare Drug Benefits ± Medicare Reform?” Cato Hill Briefing featuring John Goodman, Michael O’Grady, and Tom Miller, June 20, 2003.

“Demonizing Drugmakers? The Political Assault on the Pharmaceutical Industry,” Cato Policy Forum featuring Doug Bandow, Scott Gottlieb, Dan Mendelson, and Michie Hunt, June 18, 2003.

“Looking to the Future of the Medicare Prescription Drug Benefit,” Drug Access for Medicare Beneficiaries conference, May 21, 2003.

“Improving Access to Care Without Comprehensive Health Insurance,” Alliance for Health Reform forum, May 19, 2003.

“Will Medicare Ever Graduate from Reform School?” Cato Hill Briefing, April 25, 2003.

“A New & Improved Health Policy Agenda for 2003,” Fourth Annual National Colloquium on African American Health, March 16, 2003.

“Market-Driven Health Care: Reform & Innovation,” Young Health Care Leaders conference, March 7, 2003.

“Facing Up to Health Care Cost and Coverage Problems for Small Employers,” Small Business Congress forum, February 28, 2003.

“We Could Fix Things If Only We Concentrated on a Few Fundamentals,” Knight Center for Specialized Journalism conference on Paying for Health Care, February 21, 2003.

“A New and Improved Health Policy Agenda for 2003,” Cato Hill Briefing featuring Tom Miller and Jeff Lemieux, January 9, 2003.

Wye River Group on Healthcare. “Public Policy Leadership: Shared Values, Principles and Vision,” Roundtable Discussion at Wye River Aspen Institute, December 5-6, 2002.

“Protecting Health Care Consumers Against Higher Premiums Based on Changes in Health Status: Is There A Market-Based Solution?” Cato Policy Forum featuring Mark Pauly, Brad Herring, Keith Crocker, John Moran, Rick Curtis, and Tom Miller, November 1, 2002.

“Individual Health Insurance: Fact, Opinion and Policy,” Center for Studying Health System Change conference, October 23, 2002.

“What Never Works, What Can Work, and the Work Ahead,” Employer Health Care Coalition conference, Seattle/Tacoma, October 15, 2002.

“Will New IRS Tax Rules Put Health Care Consumers in the Driver’s Seat?” Cato Policy Forum featuring Rep. Jim DeMint, Paul Fronstin, Charles Klippel, Doug Kronenberg, and Michael Showalter, July 10, 2002.

“Will More Health Insurance Improve Health Outcomes?” Cato Policy Forum featuring John Mirowsky, Theodore Pincus, and Tom Miller, June 19, 2002.

“Bioterrorism and Smallpox: Ring Containment, Mass Vaccination, or Individual Choice,” Cato Policy Forum featuring Charles Pena, William Bicknell, Jonathan Tucker, and Richard Levinson, June 4, 2002.

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“The Genetic Future Is Now: Redesigning Humans versus Regulating Science,” Cato Policy Forum featuring Gregory Stock and Francis Fukuyama, March 15, 2002.

“Medicare’s Midlife Crisis,” Cato Hill Forum featuring Sue Blevins and Tom Miller, February 20, 2002.

“Treatment Plans for Medicare±Choice: Experimental Surgery, Life Support, or DNR?” Cato Policy Forum featuring Bruce Fried, Robert Berenson, John McManus, and Tom Miller, January 23, 2002.

“Oxymorons: The Myth of a U.S. Health Care System,” Cato Book Forum featuring J.D. Kleinke, Paul Ginsburg, and Veronique de Rugy, December 5, 2001.

“Access to ‘Free’ Health Care: Restructuring the Safety Net,” Cato Policy Forum featuring Bradley Herring, Randall Bovbjerg, David Hyman, and Richard Carlson, November 29, 2001.

“Medicare’s Midlife Crisis,” Cato Book Forum featuring Sue Blevins, Daniel “Stormy” Johnson, Joseph Antos, and Thomas Saving, November 8, 2001.

“Less Health Insurance and Better Health Care: Two-Tiered Health Benefits Models,” Cato Policy Forum featuring Lawrence Mirel, Kenneth Linde, and Helen Darling, November 2, 2001.

“The Politics of Managed Care: Second Opinions, New Options,” Cato Policy Forum featuring Haavi Morreim, David Hyman, and Richard Smith, April 17, 2001.

“The New Medicare Privacy Regulations: Will They Protect Our Most Personal Information?” Cato Policy Forum featuring Sue Blevins, Ronald Weich, and Tom Miller, February 15, 2001.

“The Future of Employer-Sponsored Health Care: Defined Contributions versus Defined Benefits,” Cato Policy Forum featuring Gary Ahlquist, William Custer, and Gerry Smedinghoff, December 8, 2000.

“Getting Beyond the Managed Care Backlash,” presented at Competitive Enterprise Institute conference Rethinking Insurance Regulation 1998, April 13, 1998.

“Removing Individual Health Risk from Health Insurance? Incremental Regulation versus Market Choices,” presented at Competitive Enterprise Institute conference Rethinking Insurance Regulation, March 8, 1996.

“Take a Free Market Approach, and Call Me in the Morning,” presented at Washington Institute for Policy Studies conference in Seattle, February 27, 1994.

“What about Real Free Market Insurance,” presented at Medical Action Committee for Education conference in Philadelphia on November 7, 1993.

### **SELECTED TESTIMONY**

Joint Economic Committee. Income, Poverty, and Health Insurance Coverage, September 10, 2009.

House Government Reform Subcommittee on Human Rights and Wellness. Medicare Prescription Drug Safety Net, September 24, 2003.

Federal Trade Commission and Department of Justice Hearing on Health Care and Competition Law and Policy. Mandated Benefits, June 25, 2003.

House Small Business Subcommittee on Tax, Finance, and Exports, Uninsured and Use of Medical Savings Accounts, Flexible Spending Accounts, and Tax Credits, May 8, 2003.

House Judiciary Subcommittee on the Constitution. Genetic Information and Privacy, September 12, 2002.

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Wisconsin Assembly Committee on Health. Rising Health Care Costs, August 13, 2002.

House Committee on Financial Services. Terrorism Insurance Roundtable, October 31, 2001.

House Committee on Banking and Financial Services. Homeowners' Insurance Availability Act, July 30, 1999

House Ways & Means Subcommittee on Social Security. Future of Social Security, October 4, 1994.