



2011 NAFC Legislative Priorities

Health Care Access and Reform Statement

The National Association of Free Clinics believes that when discussing health care access and reform it is necessary for Congress to take into account the following overarching points. Without addressing these points in their entirety, it is the position of the NAFC that more work will need to be done on any health care reform efforts.

- 1) Access to Affordable Health Care should be a right and not a privilege.
- 2) In the interest of public health, all individuals should have access to affordable quality health care.
- 3) Affordability, accessibility and portability of health care are issues that remain critical to the uninsured in this country.

Expansion of the Federal Torts Claim Act

The National Association of Free Clinics (NAFC) encourages Members of Congress to support broadened coverage under FTCA for the Free Clinic entity. While our members are extremely pleased that the health care reform expanded FTCA coverage to Free Clinic staff, the expansion did not cover the Free Clinic entity. Also, the NAFC would like Congress to remove the restrictive language regarding receipt of government funds, fee for service governmental programs (i.e. BCCSP) and billing on a sliding fee scale that disqualifies some clinics for coverage.

In an effort to clarify those entities covered by FTCA we would like Congress to use the following definition of a Free Clinic:

"Free Clinics are volunteer-based, safety-net health care organizations that provide a range of medical, dental, pharmacy, and/or behavioral health services to economically disadvantaged individuals who are predominately uninsured. Free Clinics are 501(c)(3) tax-exempt organizations, or operate as a program component or affiliate of a 501(c)(3) organization. Entities that otherwise meet the above definition, but charge a nominal fee to patients, may still be considered Free Clinics provided essential services are delivered regardless of the patient's ability to pay."

Such proposed coverage may be extended without any significant change in the level of risk assumed or potential for claims submitted. It should be noted that there have been no claims made to date under the free clinic program.

The NAFC urges Congress to expand FTCA coverage which will allow free clinics to redirect resources, currently allocated to malpractice insurance premiums, into expanded service availability for the nation's uninsured.



Expansion of Health Information Technology Programs to Include Free Clinics

Health Information Technology is a priority of this Congress and the Administration. Free Clinics would like to be an active participant in this arena; however, the cost of HIT is prohibitive for many Free Clinics that rely on donations, grants and volunteers to provide service to the uninsured.

The NAFC urges Congress to expand the funding and programs for Health Information Technology and adoption and utilization for Free Clinics. Currently the incentive programs through the American Recovery and Reinvestment Act are not available for Free Clinics given that the majority of our entities do not bill.

The NAFC encourages Congress to introduce legislation that will provide grant programs that will place Free Clinics on a level playing field with other safety net providers by encouraging incentives for adoption, similar to those offered in the American Recovery and Reinvestment Act of 2009.

Expansion of the 340B pricing program to include Free Clinics

The National Association of Free Clinics urges Congress to expand the 340B-pricing program to include Free Clinics. The federal 340B drug discount program was created by Congress to provide substantial discounts on outpatient prescription drugs to entities that serve the nation's most vulnerable patient populations. Currently, Free Clinics are not eligible to participate in this program.

Free Clinics, through the support of the private sector, provide much needed medical care to the uninsured while spending over millions of dollars on pharmaceutical and medical supplies annually. Free Clinics mobilize tens of thousands of health care professionals. Every \$1 donated to a Free Clinic generates \$5 in services.

Expanding the 340B-pricing program will allow Free Clinics to service their patients in the most cost efficient and effective manner.