

HEALTH TRAC ARTICLE

Thoughts on Mandates and the Quality of Health Care

Not long ago, a friend told me a story about knee surgery. He hurt his knee playing baseball, and the injury required surgery. Following the surgery, he was in the hospital for days and had a long recuperative period. This all happened nearly ten years ago, but he was telling me about it because a friend of his recently had a similar injury. My friend was amazed at the difference in the two events. His friend had outpatient surgery and was up and about the same day, with far less recovery time required. The difference? Over the decade between these two surgeries, arthroscopic surgical techniques have become commonplace. Along with these advancements in surgical techniques have come improvements in post-operative care, most notably innovations in the use of physical therapy. The result is a much different experience for some patients.

This story illustrates for me the problem with mandates regarding medical care. Congress and the Florida Legislature have passed laws that mandate the length of stay and/or location of service for certain conditions ---- and they are considering additional mandates right now. These mandates are well-intentioned, as legislators attempt to respond to media and/or personal accounts of medical problems. However, passing such mandates is misguided and will not improve quality of care. Instead, mandates for length of stay and location of service will have the unintended consequence of freezing the medical system under today's standards, dampening or halting the development of innovations and improvements that are a hallmark of American medical care.

Mandates for lengths of stay and locations of service are based on two faulty assumptions. First, there is an assumption that longer stays in hospitals result in better outcomes. In fact, there is little scientific evidence to support this. For example, one of the most popular length-of-stay laws, for maternity care, may not protect infants at all. As a mother, I know firsthand the overwhelming feelings of love, concern and responsibility for a new baby. I also know that, based on recent research, babies with problems usually are readmitted to the hospital after the time period of the new mandates. The arbitrary, mandated two-day stay may not help to identify those babies who will become sick and need to be readmitted --- it may only serve to expose infants to a variety of in-hospital risks. A second assumption underlying these mandates is that hospitals are the most appropriate location for medical care, because there are more resources available to diagnose and treat medical conditions. People assume a hospital is the safest place for an ill person, but in fact, every hospitalization poses risk. During hospitalization, patients are at risk for accidents, clinical incidents (e.g., medication mistakes), and certain disease hazards (e.g., resistant infections) that are not found in alternative treatment facilities or at home. Indeed, standard practices have changed so much that, today, a longer hospitalization, or the need for a hospitalization at all, is in many cases a negative indicator of the quality of health care.

In sum, these mandates do not recognize or allow for changes in technology and medical discovery. Many of them select a minimum number of days with little scientific data to prove that they promote better outcomes. As technology and knowledge continue to expand, these laws will encourage the inefficient delivery of medical services instead of promoting quality of care.

How rapidly does medical care evolve? The computer and information revolutions that have altered so many other aspects of our lives are having a significant impact on the delivery of medical care as well. These changes are coming at head-spinning speed, causing once standard medical practices to be outdated “overnight.” Some of these changes include new surgical techniques, coordinated care management programs, alternative locations of treatment, and better medicines. Some examples include:

- the development of endoscopic surgery --- one of the most important advancements in medicine in the last decade. It has changed the way gall bladders are removed, joints are repaired, hysterectomies are performed, and some types of cardiac surgery occur. This type of procedure has been fundamental in decreasing the need for hospitalization and increasing the speed of recovery in many patients.
- the use of physical therapy. Physical therapists now work with patients before and after certain types of surgery like joint replacement and cardiac surgeries. Coupled with better medicines, better materials for prosthetics, and a greater understanding of physiology, this therapy produces better outcomes from the surgery itself and shorter rehabilitation time. For example, hip replacement surgery at one time required a ten-to fourteen-day hospitalization. Now with better materials, increased knowledge of the benefits and uses of physical therapy, and new surgical techniques, patients can leave the hospital in four to five days.
- Using home health care. Remember when doctors made house calls? The development of home health care is making house calls common. This new treatment alternative allows many patients with injuries or chronic illnesses to receive treatment

or recover in a more comfortable environment, and helps patients avoid some of the negative factors associated with long-term hospitalization.

These are just a few examples. Standard medical practices are constantly improving, and the changes are occurring rapidly. Like all of us, I am very concerned about incidents of inappropriate care --- no matter what type of health care coverage the patient has.

Nevertheless, to maintain and improve the quality we all expect in our health care system, we must look beyond the quick, but false, “solution” offered by mandates for medical care. Health plans and health care practitioners must set guidelines, policies, and standards which promote quality health care, and support continuous quality improvement in the medical system. The role of government is to ensure that such standards are in place and to enforce them. Floridians --- you, me, our families, and friends --- deserve no less.

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