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ESSAY

MY HEALTH POLICY NIGHTMARE

A Commentary by Joseph White†

ABSTRACT

Imagine that the United States did not have universal public education. What would the politics of extending access to education look like? It might have a nightmarish cast but also look rather familiar. Thinking about that yields some disturbing implications about the politics of health reform and, in particular, the politics of universal coverage within the broader policy discussion about “health reform.”

You know how it is. When you are tired and working hard and a bunch of things are going on at once, sometimes you reprocess it all in your dreams, and things get jumbled together in strange ways. Usually I do not remember those dreams, but I had one during the 2008 election season that stuck with me—maybe because it was so frightening, and maybe because it seemed as much like a prophecy as a dream.

It was curriculum night for my daughter’s school, and all the usual parental anxieties were high. Some of our friends have switched their children to private schools, even though my community has a decades-old reputation for superb education, as evidenced by the college destinations of high school graduates. Partly it is because those friends think private might be better anyway; partly it is because our system does not score so well on the Ohio Achievement Tests; and partly it is because, in a desperate effort to improve those scores, our school administrators have directed teachers to begin teaching to tests, designing the curriculum around these tests.

At the same time, I had been preparing talks about the prospects for health care reform, both for my course and for extracurricular

† Luxenberg Family Professor of Public Policy, Case Western Reserve University. This article was originally prepared as a talk for the Case Western Reserve University Medical School Reunion on October 3, 2008 and this article was first submitted on September 15, 2009.
events. So, as a good member of the health policy community, I had been assiduously keeping up with the literature, especially with *Health Affairs*.

I fell into a fitful sleep sometime after midnight, and this was my dream, or nightmare.

I dreamed we did not have universal public education in the United States. Instead, our education was financed like healthcare. There were many schools, some better and some worse. Over the years, employers had concluded that employees cared greatly about education for their children, and so most provided educational benefits for their employees’ children. Originally, many had operated their own schools, but eventually almost all employers instead had begun providing vouchers for educational costs. So most students’ education was paid for by those benefits; but they varied in generosity and, of course, with employment. Large employers were sometimes able to get discounted contracts with networks of schools, but employers varied in both their networks and how much of the tuition they paid. Many small employers paid nothing. I was lucky — my university had a good plan, and my Abby was going to a good school. But there was talk of reducing the benefit.

Other people were not so lucky. Our friends the Greens were only intermittently employed in Ohio’s declining economy. Gina mainly did substitute teaching (ironically) for one school corporation, and Jack could only find steady work doing tax accounting from January through April. So their daughter Sarah was not able to go to school. She was being homeschooled, as best her mother and father could manage. Sharon Gray, a single mother we knew, was able to send Charles and Justin to school because Ohio had created a special program for poor people, called Educaid. But it only paid a limited amount. So Sharon had to drive her sons out of her neighborhood to the nearest remotely decent school that would accept them, and in this case, that meant thirty-two students per class and not enough textbooks. When Sharon was sick, she would try to find a neighbor to drive her children to school; if she could not, then her children simply had to stay home too.

Educaid was limited because most voters were able to take care of education, most of the time, through their employment. A few could even pay directly out of pocket. So the voters and their legislators were only willing to spend tax dollars for the “truly needy” — and that did not include Gina and Jack Green, or their Sarah. Proposals to guarantee education to all school children were beaten back by a series of arguments. Parents whose children were getting pretty good education funded by their employers worried that government education would be as poor as the Educaid system, causing their sons and
daughters to be much worse off. Others worried about paying more taxes. Even owners and managers of companies that might benefit by having education taken off their books worried because they disliked government in principle and did not want to make it any stronger.

Naturally, liberals continually dreamed of universal education. They could point to many studies that demonstrated the negative consequences of the status quo. Since education was mostly privatized, nobody had exact figures. But an annual Census Bureau survey, as well as other data, indicated that, at any given time, perhaps twenty percent of the school-age population was not in school. A large body of research showed that children who were not in school learned less; that as a result they had worse job prospects and life chances. Liberals pointed out that every other advanced industrial democracy had universal public education, and these countries also had better trained workforces, more equal incomes, and even spent less on education. It turned out that the United States spent a great deal on education because nobody was in charge of the system, cost was viewed as a sign of quality, entrepreneurs started all sorts of schools with fancy equipment to try to attract the parents with good education benefits from their employers, extensive marketing and advertising wars were used to get those customers, and a series of other reasons. Some evidence showed that, when parents who had been without education benefits for a while found new jobs with benefits and were able to enroll their children in school again, those children required extensive and expensive remedial help. Some advocates for universal education therefore argued that it would not be quite as expensive as it sounded because the reduced need for emergency remedial teaching would result in savings.

Far more than twenty percent of students, of course, would be out of school for some period during the traditional thirteen years of kindergarten (which some children missed), primary, and secondary education. But some people were used to that. It was the norm. Besides, a lot of voters had secure enough lives that it did not happen to their children: even during a short spell of unemployment, these parents could pay the tuition, temporarily, out of pocket. The federal government had passed a law requiring that employers and schools allow parents in that situation to pay the discounted tuition negotiated by that employer for the next eighteen months. This discounted amount would be a lot of money but much less than if the parents had to pay the posted tuition rate. And sometimes – especially if the unemployment occurred late in the year and the school administrators did not know – the student would finish out the year and the school would get stuck with bad debt when the company did not pay the balance. As for the students who missed a year or two – well, some of the parents
did not expect their children to go to a good college anyway, so these parents did not protest. When parents and their children were accepted to colleges, despite the disadvantages, the colleges often had to provide emergency remedial education to make up for the effects of the previous shortages in the routine primary and secondary education.

I was so scared for Abby in my dream. It seemed so irrational. My job was safe – I am a tenured full professor at one of the top universities in the country. But what if I died? What then? And what about Sarah Green, and Charlie and Justin Gray? What about them and what kind of nightmares might their parents have?

But, in my dream, the Democrats had captured Congress and the Presidency, and the forces for universal public education had rallied again. I had to give a talk about what would happen, since I am a political scientist, and my university's School of Education was having a big forum in a few weeks.

The new President was campaigning hard for education reform. In the election, the Democratic party platform declared, if one thing came through in the platform hearings, it was that Democrats are united around a commitment to provide universal, affordable, K-12 education. In meeting after meeting, people expressed moral outrage with an education system that leaves millions of American children unable to go to school and millions more with their parents struggling desperately to pay the bills. Whether Democrats really were united, however, could be doubted. It appeared that Democratic legislators from more conservative and rural districts had their reservations.

The conservative forces were opposed, as they had always been, for a whole series of reasons. They talked about "big government," "Washington bureaucrats," and "freedom." They also spread fear. They said students in the countries with universal public education often could not get into good colleges, or had to wait for textbooks. They said that some even came to private schools in the United States. In the election, they had proposed to eliminate the employer subsidies for tuition, replace them with a modest tax credit from the federal government, and provide special Home Schooling Accounts (HSAs) so parents could buy private tutoring and computer learning programs. Although the public and commentators appeared to insist that politicians try to be "bipartisan," and the President had proposed much more modest reforms than some of his coalition preferred, the difference in the two parties' views was quite large.

I had to figure that at least eighty percent of Congress would be committed one way or the other: forty percent would be Republicans who would vote against almost anything that approached being a major expansion of public support for K-12 education, and about forty
percent would be Democrats who would (after a lot of grumbling) vote for something resembling what their president and party leaders and committee leaders agreed on. That left a bunch of cross-pressured legislators in the middle. Some would want to do it but be scared of the costs. These congressmen cared about education and unequal opportunities but worried about the federal budget at least as much. A very small group would be Republicans who were a bit scared to deviate from their party and did not like government. But they thought the situation might be getting too bad to bear any longer and this group had districts that could go either way in the next election. Some would be Democrats who had large education companies in their districts and were worried that universal public education would eliminate jobs. Or they had friends in the private education industry whom they trusted and who gave them many reasons to hesitate. They would worry about criticisms, from the Republicans or from the private education industry, of a “government takeover of education” — how it would have all sorts of confusing rules and eliminate choice of schools. The people who would benefit were not as organized as the people who would lose.

And so, I was planning to say as I dreamed, it would come down to what it often does in politics: a group of cross-pressured legislators. In my dream, and I do not think only in dreams, legislators want to do good but also want to limit political risks. They will take risks, but they have to be sure that the policy is worth the risks. So they look to consultants and trusted advisors to inform them about the political risks, and they look to expert communities to inform them about the policy consequences.

That is where the dream, already fitful and frightful, turned into a real nightmare. For I dreamed that a moderate legislator — say, a conservative Democrat from North Carolina — asked some of her aides to go through the research literature and tell her what it said.

She knew the vote on healthcare reform could be the most important vote of her career in Congress, both for policy reasons and for political risk, and she wanted to get it right. So they went off to the journals.

Education was such a mess that policymakers sought desperately for new “solutions” that would not anger powerful interest groups, and employers sought ideas that would save them from choosing between paying ever-higher costs and infuriating employees by cutting benefits. In response to these twin government and corporate demands, a large group of researchers called “education service researchers” had grown up around universities and think tanks. Education service researchers argued that education would be more affordable if it were organized differently, or if teachers had better
guidelines about how to teach, and had convinced Congress to create a federal Agency for Education Research and Organization (AERO). The agency and research community had a flagship journal, Education Services Research. Some of its content was useful, but often it had too many equations. Among many other journals in the field, the most prominent and widely read among policy elites was Education Affairs, which called itself the “journal of the education policy sphere,” and just about was. The congresswoman’s office even subscribed so that it could look at the copious Web publications and keep up to date.

Other government agencies also conducted research on education. Because Educaid was a state/federal partnership and the federal government was worried about costs, Congress had created an Education Payment Advisory Commission (EdPAC). The Congressional Budget Office (CBO) did a lot of reports; the Government Accountability Office (GAO) did a lot of reports. With so many reports, it seemed like it might be more useful to meet with some of the experts, and so the congresswoman’s office set up meetings, because the congresswoman really wanted to get it right. And this is what she learned, or at least these were the impressions she took away, from what was in the journals and the briefings and the policy community as a whole.

She learned that there was quite good evidence of the damage done by intermittent education. The conservatives were wrong when they said that most children learned even if they did not get to school and that the remedial programs made up any difference. She learned that there indeed were big differences in life chances according to access to education. She was less sure about the data regarding other countries. She did not like to conclude that the United States was not the greatest country in the world, and she knew she could not make that argument to a lot of her constituents anyway, even if it were true, because they do not like to hear their country criticized. But she thought it might be true, so that evidence made her a little more willing to cast a risky vote, if she had to.

On the whole, the research literature about universal K-12 education said universal public education would be a good idea. Yet a lot of other education policy literature made the congresswoman worry whether it was worth the risks.

She learned that many experts believed that what mattered was not simply what schools did but, logically enough, what students learned. It turned out that what students learned, according to a lot of research, had more to do with their home lives and their behavior than with their schooling. There was a whole “public knowledge” community, and many of these scholars argued that too much attention
was paid to the "education" model; even to the "education-industrial complex."

A more liberal version of the "public knowledge" community said that all sorts of aspects of society, such as what was on television and even inequality itself, had big effects on knowledge. For example, students who started out poor knew they had lesser prospects than richer kids, and so the poor students were less likely to believe they could derive a benefit from education. Therefore, these students were less likely to apply themselves, whether or not they attended good schools. The stress of their impoverished lives made it harder to concentrate on schooling anyway, and then corporate America was trying to dumb them down through television.

A more conservative version said that students' learning depended on the values they learned from parents and churches; that all the money in the world spent on public education would do little good if the students did not have better values from their homes; that the schools could not teach the behaviors that led to learning; and that, if children learned those behaviors from their parents, they could study at home and advance even if they had to miss a year or two of formal schooling.

These public knowledge arguments, from both left and right, left our congresswoman worrying that she might vote for a big, expensive public program, get lots of constituents mad at her, and not improve peoples' life chances so much after all. She noticed the arguments of both the liberals who said that too much was spent on education and not enough on other public knowledge programs, such as better public TV, and the conservatives, who said that too much spending through bureaucracies missed the real problem, which was individual values and behavior. If either of them was right, maybe universal public education would not do so much good after all.

The Congresswoman’s staff also learned about a whole lot of education services research that revealed immense variations in educational practices. Some schools paid teachers more and some less; some had many more hours of class than others; some emphasized math, some science, and some English. The only evident explanations of these variations involved factors such as how many trained science teachers taught in the local schools (areas with more science teachers offered more specialized science classes) or pure local custom. Relatively similar cities in New England, for example, had very different education practices and different levels of costs — everything except different levels of young peoples’ knowledge as measured by tests. *Education Affairs* had recently anointed the most eminent of the researchers in this line of work as the most influential "education policy
researcher of the past 25 years.” Almost all of the experts insisted that these were very important findings. But what did they mean?

It seemed to mean, in essence, that teachers had no idea what they were doing and very little evidence that any of it worked. The congresswoman’s aides found endless articles discovering that education practices were barely based on evidence at all; reformers had been talking about “evidence-based education” for decades and complaining about its absence for just as long. A lot of researchers argued that, even if better evidence of education effectiveness could be found, that was the wrong question. What ought to matter was cost-effectiveness of education practices, and despite hundreds or thousands of articles in the journals calling for more cost-effectiveness, there had been hardly any implementation of such ideas in practice.

All of this research and commentary, from the public knowledge arguments to the cost-effectiveness research, suggested that the education system was broken. EdPAC announced that even the government programs, which seemed in some ways to be working better than the rest of the system, were horribly flawed and would become unaffordable unless they did a better job of relating resources to results. It called for “Pay for Performance” (“P4P”) in education, and that sounded promising, until the staff told their boss that EdPAC’s own reports showed very little evidence of improvement from the trials that had occurred. It had been used some in the United Kingdom, supposedly, but the main effect had been to spend a lot more money.

So our congresswoman became even more worried. If all those articles in Education Affairs and elsewhere were to be believed, spending more money to create universal public education would be much like tossing money into the ocean. Some experts – there was one group called the Common Good Fund that had many impressive reports – insisted both that universal public education was so important that it should come first, and that “P4P” and many other proposals were very promising. But the congresswoman had to wonder whether it might be much more fiscally responsible to get education working better before spending lots of scarce federal dollars, dollars that might require raising taxes on her constituents, to finance such an inefficient, irrational system.

But maybe, she thought, her aides were looking in the wrong places. Or bringing her the wrong experts. The congresswoman was worried about the budget, so maybe she should focus on the economists’ opinions.

She and her aides learned that economists were quite divided on many issues. Yet there seemed wide agreement, even among many economists she thought of as “liberals,” on a surprising premise. Almost all seemed to agree that one of the major causes of inefficien-
cy was the fact that employers provided tuition benefits and nobody paid taxes on those benefits. But the employment tuition benefits were the main thing that made the education system function at all, for most of her constituents. They would be terrified of having it taken away. Yet some of the most eminent education economists in the country insisted that this linchpin of the existing system was fundamentally irrational, unfair, and excessively expensive. They seemed to agree with the Republicans that the whole system should be blown up, and that her own party leadership’s proposal was fundamentally misguided. If they were right, she had two choices. She could follow their advice, and vote for a plan that included their kind of recommendations. But that would scare many of her constituents to death, and it seemed exceedingly risky as policy too. Or, she could ignore their advice, and vote for something like her new president was proposing, which actually mandated that more employers contribute towards the cost of tuition. Yet how could she, a moderate Democrat who worried about fiscal responsibility, vote for a program that so many economists, including many associated with her party, thought was bad economics?

Of one thing she was sure: that reform should not add to the federal deficit. She was quite sure of something else as well – that most of the reform should not be paid for with taxes on her constituents. So it was important to pay for reform with savings to existing programs, and by preventing the new coverage from being too expensive. Could that be done?

She found endless proposals in the journals and from eminent commissions to save money from “P4P,” education information technology, comparative effectiveness research, and many other things that sounded nice in principle. But CBO reported that hardly any of these ideas would save much money, if any, over the next ten years. When she had her staff look closer, they found that, in fact, the advocates for these ideas had not explained how they would work, nor had they provided examples of them working, that a responsible budget estimator would believe.

Our congresswoman was conflicted: what was the safe, what was the ethical, thing to do? Maybe she would just have to swallow hard and make a “tough choice.” Her staff told her that many education ethicists agreed, and the “tough choice” should be to accept that some children were too dumb or disadvantaged to be educated. Government should not spend a lot of extra money on hopeless cases. Her staff also told her that the Republicans were raising anger in her district by claiming that education reform would mean the government would “ration” education. It occurred to her that there might be a connection between the expert commentary and the political charge.
Then I woke up.

By the time this is published, I suppose we will all have woken up. We will know how most legislators who resemble the conflicted representative in my dreams voted. But I think it is pretty clear what my subconscious, or the God of Political Analysis, or some force was trying to tell me, Joseph, in my dream.

It was telling me, first, that with our current politics we might not even have universal K-12 education if we did not already have it. That is pretty scary. But it was also telling me something about the political effects of the health policy sphere.

Ask yourself this question: if all the kinds of research I found in my dream existed when universal public education was established, what are the odds it would have been established?

I think the odds would have been quite low. The kind of research I dreamed about does exist (and similar arguments are made) for education now. These arguments surely make it more difficult to increase funding for public education. They do not prevent it from existing because it already exists. Back in the nineteenth century, there was no education services research community, nor public knowledge community, nor many education policy journals, nor even many economists (and their economists did not have the same doctrines).

But we do have the health services research community, and public health community, and health policy journals, and lots of economists. And I do not see how anyone can read Health Affairs without worrying that, with so much so terribly wrong with the health care system, according to so many experts, investing taxpayers’ money in the system to expand access would be irresponsible. Readers might well conclude that the other problems should be fixed first, or all the problems should be fixed at once — perhaps taking “triple aim” at care, health, and cost.¹

The trouble is, “fixing” many of those other problems could take a very long time (since nobody knows how, for example, to transform provider payment to “P4P”). So taking triple aim means waiting a long time to hit the target that we actually know how to hit, namely covering people.² Calling on the political system to fix more than the insurance aspect of health care makes an already exceedingly difficult challenge impossibly hard. The passage of national health insurance legislation is not made any easier by all the commentary from

¹ Donald M. Berwick et al., The Triple Aim: Care, Health, and Cost, 27 HEALTH AFFAIRS 759 (2008).
advocates for public health, quality improvement, or other agendas that universal coverage is only part of the needed change.

What matters politically is not whether comprehensive reform of many aspects of the health care system at once is possible in theory. What matters is doubt. What matters is overload — making a situation so complicated that politicians cannot imagine coping with all the parts. What matters is excuses for saying "No." What matters is reasons to worry that the political costs of voting for a major, controversial reform could be paid without doing all that much good anyway. What matters is the perception that experts think national health insurance is just one among many problems in a highly flawed system. And anyone who just counted the pages in *Health Affairs*, or looked at the lead articles over the years, would be assaulted with doubts, threatened by overload, overwhelmed by complexity, given many excuses to vote "No," and buried in an avalanche of claims that the system that some reformers want to make available to all is horribly irrational and flawed.

The kinds of arguments and implications I encountered about education in my nightmare are in fact drawn by opponents of universal health insurance. The 2008 Republican platform posed public health measures as a superior alternative to a "government-run universal health care system." It declared that "we can reduce demand for medical care by fostering personal responsibility within a culture of wellness, while increasing access to preventive services, including nutrition and breakthrough medications that keep people healthy and out of the hospital," while calling for a "national grassroots campaign against obesity." Moreover, at the White House Health Summit on February 25, 2010, Senator Tom Coburn (R-OK) argued that excess care should be eliminated and prevention improved first, before any attempt to expand coverage. Liberal public health advocates may see public health and national health insurance initiatives as complementary to each other, but that is not obvious at all to conservatives, and need not be obvious to anyone else. The conservative call for "consumer-directed" health care plays off much of the Health Services Research community’s argument that patients should be "empowered" with more choices about their care.

How, I have to ask, could anyone expect a relatively neutral legislator, trying to do good, but not willing to take political risks unless

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she is sure of the good that will be done, to vote for national health insurance after reading *Health Affairs*, learning about John Wennberg and the literature about how health care services vary for no obviously good reason from community to community, hearing all about the weak evidence base, reading all the public health literature about medical care being less important than other things, and all the economics that focuses on the evils of the tax subsidies?\(^5\)

It is fairly easy to interpret my dream. Economists, health services researchers and public health advocates, simply by doing what they think is their job – promoting their views and filling the journals with their arguments and agendas – make the most basic and justified reform, guarantee of health care to all citizens, less likely.

My dream identified plenty of other, more widely understood, obstacles. In my nightmare and in reality, about forty percent of legislators – almost all of the Republicans – were opposed to universal health coverage for reasons such as their ideologies, which groups they preferred to favor, or not wanting to help the Democrats get a “victory.” Yet what mattered in my dream, and what matters in reality, is those legislators on the fence or at the margins; and at the margins the total effect of the health policy community – its research and its discourse – is, whatever the intent of its participants, a barrier to passing national health insurance.

By the time this paper is read, a law to expand health insurance coverage either will or will not have passed. It will not guarantee insurance coverage for all Americans, but it might be a major expansion. It may or may not actually get implemented.

There will be a lot of political commentary about why it succeeded or why it failed, or why it was so close. But I am sure of one thing: the effort to pass a decent bill will have been made more difficult by the continual arguments in the health policy community about the need to focus on public health or quality or reducing variations or changing incentives for health care providers or changing individual behaviors or paying for performance or virtually anything else that could be conceived from some analytic perspective. The effort to pass legislation would have been easier if that advocacy did not exist at all, and the question for experts reduced simply to: “would this be a better

\(^5\) The latter argument especially is puzzling in its own right. It assumes the cost problem is “excessive” insurance, even though there are plenty of countries where the benefit packages are at least comparable, cost-sharing is lower, and medical care is much less expensive. The tax preference argument also makes questionable assumptions about the distribution of compensation within an employer’s workforce absent the health insurance benefit, but that is too complex a matter to discuss here.
health care system and a better country if everyone had decent insurance?”

The massive health policy literature addressing other issues does consider real problems. Medical care is not the only factor in health, quality could use a great deal of improvement, and policy might address those issues. The effect of that literature on the campaign for universal coverage was, and will be in the future, an unintended consequence (except when used by the opponents of coverage expansion, as in the Republican platform cited above). But that just means that, in the real world of politics, one set of legitimate concerns can threaten another. Good people trying to do good can inadvertently do harm to a cause in which many of them believe.

Which means I was not having a nightmare. As a health policy analyst, I have been living in one: my profession has, to a great extent, been doing more harm than good. Bioethicist promotion of the need to ration at the end of life fed commentary about death panels. Advocacy for unproven cost controls left the administration claiming savings that the Congressional Budget Office would not confirm. Promotion of prevention and of the need to fix “variations” gave Republicans an argument for delaying coverage expansions. The definition of the “problem” was muddied in a way that made it very diffi-

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6 Which is not to say that all of that literature is wise even in its own terms. For example, the advocacy for “P4P” is, ironically, not based on much in the way of evidence or performance; and some of the public health agenda asks the political system to do things that are far less politically plausible than even universal health coverage. See White, supra note 2.

7 It would be nice if the analysts who write about all the other problems but believe national health insurance is also important would begin all their papers and testimony with a “by the way, please remember we ought to cover everybody first.” The Commonwealth Fund, in its broadest overviews, emphasizes this point, or at least argues that other desirable reforms “would be even more effective” if combined with universal health coverage. The Commonwealth Fund Comm’n on a High Performance Health Sys., A High Performance Health System for the United States: An Ambitious Agenda for the Next President (2007), http://www.commonwealthfund.org/usr_doc/Ambitious_Agenda_1075.pdf?section=4039; Cathy Schoen et al., The Commonwealth Fund, Bending the Curve: Options for Achieving Savings and Improving Value in U.S. Health Spending (2007), http://www.commonwealthfund.org/usr_doc/Schoen_bendingthecurve_1080.pdf?section=4039. Yet researchers are supposed to report on their work and its conclusions, so the norms of the disciplines for good reason would reject such asides. Narrower papers, even by Commonwealth, quite reasonably emphasize the narrower concerns. The Commonwealth Fund Comm’n on a High Performance Health Sys., Framework for a High Performance Health System for the United States (2006), http://www.commonwealthfund.org/usr_doc/Commission_framework_high_performance_943.pdf?section=4039.
cult for the Democrats to explain why their version of reform was necessary.

This article was edited early March of 2010. My readers will know whether these obstacles were somewhat overcome, and meaningful legislation was passed. But no one should imagine that the vast bulk of the health policy commentary in recent years helped solve the nightmares endured by tens of millions of uninsured Americans.