

Sebelius Has Full Plate In Dealing With Health Care Reform

BY DIANE STAFFORD
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KANSAS CITY, Mo. — Forty-five years ago, U.S. Rep. John J. Gilligan cast one of the 307 House votes that created Medicare and Medicaid.

That piece of "Great Society" legislation changed the delivery of health care in America.

Now Gilligan's daughter, Kathleen Sebelius, the health and human services secretary, is the general in charge of another sweeping change in the health care system.

Implementing the health care bill passed earlier this year makes her one of the most powerful bureaucrats in the country, with one of the toughest jobs.

How important is her role? Forbes magazine last year ranked her the 57th most powerful woman in the world.

Gilligan, now retired after a public service career in Ohio, admits he's "a little prejudiced" but says that "he can't imagine anyone doing a better job. She's steady. She's not a volatile person. And everything she's ever done has contributed to her ability to handle the stress and strain."

Less-partial observers agree that Sebelius is handling the job with aplomb, even as it puts her on the hot seat for critics of "Obamacare."

"You have to deal with what comes at you," Sebelius shrugged with characteristic understatement in a recent radio interview. "You use the resources you have and figure it out. ... You don't get time to say, 'Let's stop for a month or two.'"

Here's what the former legislator, insurance commissioner and Kansas governor is facing:

The massive health care law says "the secretary shall" make roughly 1,300 decisions on provisions in the law, everything from the smallest detail to defining what constitutes "essential" health care.

She's charged with leading teams of government regulators who will add an expected 30,000 to 50,000 pages of regulations to the 2,800-page law.

And "she's writing those regulations under such a cloud of uncertainty. Everything she does will become a political football," said Patrick Tuohy, who managed the Yes on Prop C campaign in Missouri.

Tuohy is one of the health care law's most successful opponents. On Aug. 3, primary voters in the state resoundingly rejected a key element of the law, the requirement that individuals purchase health insurance by 2014.

But whatever he thinks of the policies, he's charitable toward Sebelius: "I don't envy her."

Indeed, few would. "Implementation is incredibly difficult, and unlike with Social Security or Medicare, the secretary does not have much help from the other side of the aisle," said U.S. Rep. Emanuel Cleaver, D-Mo.

"A person not hardened and shaped by Midwestern roots would, frankly, not have been up to the task," Cleaver said. "She is a successful Democrat from Kansas, and that's no small feat."

A Roman Catholic who has been under fire from the church and abortion opponents since her days as governor when she vetoed anti-abortion legislation, Sebelius' appointment to President Barack Obama's Cabinet was called "radical" by Troy Newman, president of Operation Rescue.

Patrick Mahoney, executive director of the Christian Defense Coalition, tried to create a social conservative bloc to oppose her nomination.

But, reflecting some of the bipartisan support she has always been able to summon (Bob Dole backed her at her confirmation hearings), the Senate confirmed Sebelius' appointment on a 65-31 vote.

Yet after confirmation, she immediately was hit with criticism from reform opponents. Last month, a group of Senate Republicans accused her of misusing public funds to promote health care reform in an ad using 84-year-old Andy Griffith.

It's nearly impossible to hear someone criticize Sebelius personally, however. In public, she chooses words carefully and quickly deflects most personal queries to concentrate on public policy.

Sebelius' personal side is rarely revealed in public. If she departs in interviews from public policy statements, it's typically to praise "lots of very talented, very passionate people who are working hard to make sure Americans will see the benefits of this bill," rather than expand on herself.

She does acknowledge that a lifetime of experience — a former executive director of the Kansas Trial Lawyers Association, eight years in the Kansas Legislature, eight years as the state insurance commissioner, one and a half terms as governor — was good preparation for dealing with both partisanship and budgets.

Those who know Sebelius well say they can't imagine a person better suited to the challenges of her job — even in a climate lacking the bipartisan support that her father's Congress gave Medicare in 1965.

"I sympathize with the problems she confronts in Congress," her father said. "But there's nothing new about that. She and I both know how that works."

Starting with a 6 a.m. jog on the Washington mall and finally taking pages of work home with her at 8 or 9 p.m., Sebelius faces a physically, mentally and emotionally taxing schedule.

"She runs about five miles a day most days," her husband noted. "I think that's very helpful to manage the stress."

But more than energy, Gary Sebelius said, his wife has passion for public service and the topics she's assigned to handle.

Whether that's enough to shepherd health care reform through a multi-year, multi-agency process is yet to be answered.

Her department, with its \$900 billion annual budget, 11 major agencies and 300 programs, must coordinate implementation with the U.S. Department of Labor and the Internal Revenue Service, as well as all 50 governors.

The law she is charged with implementing, the Patient Protection and Affordable Care Act, had Republicans united against it. And a day after its passage, a bill was submitted to repeal it.

Subsequently, about 20 states and some organizations have mounted legal challenges against the law. And public sentiment, as evidenced in the Missouri vote, is strong. Many people don't want the government to tell them they have to buy health insurance, even as they bemoan the ever-higher costs of medical care.

Critics of reform also accuse her of downplaying actuarial estimates that the costs of reform will soar far higher than predicted.

In addition to those challenges, the law she is charged with implementing is under the microscope of many powerful business organizations, such as the U.S. Chamber of Commerce and the National Federation of Independent Business, that want to minimize employers' costs and make reform mandates more palatable.

Sebelius remains resolute in the mission to extend access to

affordable health care to those who don't fall under the Medicare or Medicaid umbrellas.

It's time, she wrote in an essay published in the July 26 issue of Modern Healthcare magazine, to focus attention and dollars on preventive rather than catastrophic care and to remove "far too many decisions" from the hands of insurance companies.

On NPR's "Talk of the Nation" last week, Sebelius referred to the

strength of the anti-health-reform storm and the need to contain or direct it. On her radar is the fact that nearly half of the states are mounting court challenges against the health care reform law.

"I'm not a lawyer, but I do get briefed by Justice Department lawyers about the constitutional issue" of the government requiring the purchase of health insurance, Sebelius said.


She said she is confident that

the reforms stand on strong constitutional grounds, mainly that the federal government has the right to make the rules on interstate commerce.

In that maelstrom of politics and policy, fans and critics of health care reform alike agree that Sebelius has a thankless job.

"She'll not make anybody happy," Tuohy said. "I'm sure there'll be some days she wishes she was back in Topeka."

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