

Editor's note: The following commentary by the president of Last Chance for Patient Choice appeared in the May issue of HME News (page 19). The points raised by Mike Mallaro are ones that need to be made: Selective contracting, mistakenly called "competitive bidding," and the 36-month cap on oxygen equipment represent a new kind of attack on the disabled and frail elderly. Who will speak for them?

We're fighting for a principle – and for those who can't fight for themselves

Once upon a time, a little girl named Judy was denied the right to attend grade school. School authorities considered her to be a fire hazard and turned her away. Her crime? She was confined to a wheelchair.

With the help of persistent and dedicated parents, the little girl got an education, eventually graduated from college and qualified to become a teacher. She was very bright, articulate and caring. But the Board of Education refused to grant her a license to teach school because she had the audacity to be confined to a wheelchair.

This is a true story. It did not happen in a faraway land like Afghanistan or China. It happened right here in the United States, in New York City, in the 1950s and 1960s. The little girl's name was Judy Huemann, who by the way, grew up to be a productive and valuable member of society, earning a living and paying taxes. Her struggle ignited a passion to fight for the rights of people with disabilities and her efforts were instrumental in creation of two landmark laws: the Individuals with Disabilities Education Act (1975) and the Americans with Disabilities Act (1990).

Our country's treatment of people with disabilities has come a long way since Judy was forced out of school. But a new, and indirect, attack is being waged on people with disabilities today. During the past three years, our elected officials in Washington D.C., have passed laws that roll back some of the rights of people with disabilities. Soon, people like Judy won't have the right to choose who provides their wheelchair and more importantly who provides the fitting, assessment, adjustments and service that go with the chair.

Soon, people with respiratory disabilities won't be free to choose their oxygen provider, and worse, they will effectively lose their oxygen benefits under Medicare if they are fortunate enough to live more than 36 months on oxygen. Because my Mother is in her 38th month on oxygen, that one really outrages me.

We need to recognize that home medical equipment providers and manufacturers do not have a viable constituency in our government. Anyone who thinks we are going to win an argument based on what is fair and just for business owners is living in a fairy tale. That approach has been a miserable failure.

Unlike physicians, hospitals and pharmaceuticals, we don't have the money to win the argument via bankrolling congressional campaigns and engaging hoards of lobbyists. It's time to frame our arguments around protecting the rights of people with disabilities and the frail elderly. Competitive bidding eliminates choices for the disabled. Transferring ownership of complex medical equipment after an arbitrary time frame burdens the disabled and the frail elderly. Corroding wheelchair coding downgrades the quality of life of people with disabilities.

Home medical equipment providers and manufacturers help people with disabilities and the frail elderly live higher quality lives. By attacking us, Congress is attacking people with disabilities and the frail elderly. Shame on us if we don't let America know what Congress is doing! Woe to us if we continue to frame the argument around our profitability or theoretical cost saving.

If you're bothering to read this, you are probably already involved in this fight. If not you need to get involved. Jump in, the water's warm. Tell every one of your clients what Congress is doing. Tell their families, caregivers, your newspaper, your community. At VGM, we started Last Chance for Patient Choice (www.lastchanceforpatients.org) to advocate aggressively for HME providers, manufacturers, people with disabilities and the frail elderly.

We oppose the two-tier health-care system our current elected leaders seek to create. We're using some new approaches in this fight that center around telling people what their leaders are doing to them and welcoming them into the fight. We implore you to do the same, whether it's through Last Chance, AA Homecare, your state association or on your own.

Judy Huemann fought so she could attend school and then so she could teach school. Her fight wasn't easy. Ours won't be either. But we're fighting for a principle.

Mike Mallaro is CFO and CIO of The VGM Group, as well as president of Last Chance for Patient Choice.