Nixon, legislators in another push for autism coverage

By Tony Messenger

COLUMBIA, MO. — He didn't mean any harm, but 6-year-old Blake Hinkel briefly became the center of attention at a news conference here last week.

Blake, who is autistic, was quiet and out of sight for most of Gov. Jay Nixon's appearance at the Thompson Center for Autism in Columbia, where the governor was pushing a plan to cover treatment for children like Blake.

But midway through Nixon's speech, the youngster decided he'd had enough.

He jumped out of his chair and started trying to pry the circular University of Missouri crest off of the lectern where the governor spoke.

"You can get a little taste of what we go through on a daily basis," said Myles Hinkel, Blake's father.

Hinkel, of Columbia, isn't complaining about having an autistic child. But he is unhappy that he and his wife have to pay for his care out of their own pockets, and with the help of their parents...
and donations from social service agencies.

That's because Missouri, like all but 14 states in the country, doesn't mandate coverage of autism in health insurance policies. (Illinois is the only Missouri border state to mandate such coverage.)

Missouri legislators tried to change the situation this year, but after a bill passed overwhelmingly in the Senate with bipartisan support, the Republican leadership blocked a vote in the House.

"That bill never came up for a vote," Nixon said. "Quite frankly, that was just wrong."

Now Nixon is using his bully pulpit to join key Republican lawmakers — including Sen. Scott Rupp of Wentzville and Sen. Eric Schmitt of Glendale — to apply pressure so that the issue takes center stage when the Legislature returns to work in January.

The two St. Louis-area senators have started a website — www.moautismbill.com — to promote the issue. And they are planning a rally Sept. 20 at Lake Saint Louis.

For Schmitt, the issue is personal. He has a son with autism. Nixon said Missouri could have more than 30,000 people with autism.

NO PARTISAN DIVIDE

The debate is breaking down along similar lines as the national health care discussion. On one side are those who want mandated insurance coverage — in this case for autism. On the other side are the insurance companies and their advocates who argue that mandates increase the cost of coverage for everybody.
But the difference in Missouri, as compared to the national debate, is that there isn't a partisan divide. During the session, the loudest voices pushing autism coverage came from the Republican side of the aisle. Now it's Democrat Nixon leading the charge. Standing by his side in Columbia last week were Sen. Kurt Schaefer, a Republican from Columbia who has criticized the governor on other issues, and two freshman Democrats from the House, Webber and Mary Still.

The insurance industry opposes the bill because it places a mandate on coverage. During the session, lobbyists argued that premiums will rise about 3 percent if the bill passes.

"We oppose all mandates because they add to premiums," said Brent Butler, government affairs director for the Missouri Insurance Coalition.

Butler said the insurance industry recognizes there's a problem in terms of the gap in coverage for autistic children. But insurers don't want to compound the problem by raising everybody's rates and make it more likely others will lose insurance, he said. "Three percent is a pretty big increase for businesses in this environment to absorb," Butler said.

Pointing to other states that have mandated autism coverage, Nixon's insurance director, John Huff, says the figure will be closer to 1 percent.

Butler said he expects there will be a lot of talk about compromise to get a bill passed in the upcoming session. Two men at the center of that debate will be the key Republican leaders who control whether a bill makes its way to the House floor for debate: House Speaker Ron Richard, R-Joplin, and Majority Floor Leader Steve Tilley, R-Perryville.

The speaker of the House said he's working "tirelessly" on the issue, and he blames Nixon for politicizing it. Richard said last year's bill lacked "consensus," and that's why it didn't come to
Tilley pointed out that he voted for the bill in committee. He said he supports it and if the speaker puts it on the calendar, it will come up for debate and likely pass.

"I think there's some momentum for it," said Tilley. "I think most parents just assume that their children would be covered if they got autism."

Both Richard and Tilley receive thousands of dollars in campaign donations from the insurance industry. In his most recent campaign finance report, Richard received donations from a dozen different insurance industry interests. When asked about campaign donations, Richard and Tilley offer similar answers, suggesting they have no problem saying "no" to folks who give them money.

The insurance industry isn't just giving to its backers, though. Proponents of autism mandates, including Rupp and Nixon, also received contributions from various insurance political action committees.

Richard has appointed an interim committee to study insurance for autism, though the committee hasn't yet scheduled any meetings. He said he hopes to come up with a bill that "all sides could agree on."

As he flew around the state stumping for the issue last week, Nixon said he doesn't believe that will happen.

"Let's not kid ourselves," Nixon said. "This is not a bill everybody will support. The insurance industry is not going to support this."
The Hinkels certainly do. They say their son has a condition that gets better with treatment. Blake is starting to put several words together, but it's taken months of intense therapy sessions to make that happen.

Blake's therapy, called applied behavioral analysis, is expensive and time-intensive, costing upwards of $50,000 a year. Nixon's plan would require that the therapy be covered, that there be no cap on number of visits and that insurance plans pay up to $55,000 of the annual cost.

Janet Farmer, director of academic programs at the Thompson Center, which is funded by the University of Missouri, said that autism is the only one of 12 similar developmental disorders not being covered by most insurance policies. She credited the applied behavioral analysis therapy with being successful in helping autistic children become more functioning.

Many of the families who use Thompson's services, Farmer said, struggle to pay the fees.

"The gaps of coverage cause tremendous economic burden," Farmer said.

Rupp said that with Democrats and Republicans working together, there's no excuse not to pass a bill similar to last year's Senate version.

"I think there's a ton of momentum to get it done," Rupp said. "We're really going to engage the public this time."
Couple seeks damages after surgery

Suit names UM board, orthopedic surgeons.

By Janese Heavin

Wednesday, August 12, 2009

A Montgomery County couple is seeking as much as $3 million in damages in a malpractice lawsuit filed against Columbia Orthopaedic Group and three of its surgeons.

The lawsuit also names as defendants the University of Missouri’s Board of Curators, doing business as Columbia Regional Hospital, Columbia Radiology Imaging Services — which is Advanced Radiology — and two radiologists.

The lawsuit, filed Thursday in Boone County Circuit Court, claims the orthopedic group used a test product on Judith Bryson, then, after it failed, put off corrective surgery for four days, making health problems worse. The suit accuses radiologists of misreading her X-rays and failing to compare post-surgery film with X-rays taken before the operation.

Columbia Orthopaedic Group has not yet been served with the lawsuit, Marketing Director Beau Baehman said. The group’s attorney, Craig Van Matre, said he also has not seen the suit and could not comment.

Bryson was able to walk normally when she went to Columbia Orthopaedic Group two years ago for spinal problems, according to the lawsuit. On Aug. 13, 2007, surgeon John Miles installed a small locking plate system in her lower spine. The product, known as the Aegis Anterior Lumbar Plate, was a relatively new product designed to treat degenerative spinal conditions, said DePuy, the company that developed it.

Using that plate was a conflict of interest, the lawsuit states, because the orthopedic group three months later was paid by DePuy to conduct a clinical evaluation of the product. According to the petition, doctors were financially motivated to test the plate on Bryson before the clinical trial.

Furthermore, doctors did not take into account that Bryson suffered from obesity, depression and osteopenia, a bone-softening condition, the lawsuit claims, increasing the likelihood of complications.
Three days after the surgery at Regional Hospital, Bryson took a shower unattended by a nurse or hospital staff, even though she was at risk for falling, her St. Louis attorney, Burton Greenberg, said. That’s when she experienced what she described as a “pop” in her back and severe pain later traced to a fracture in her tail bone.

It’s premature to say why Bryson was in the shower alone, Greenberg said, but “our position is had she been attended to in the shower or not allowed to shower, this very well may not have happened.”

The lawsuit contends Bryson needed immediate corrective surgery but that doctors at Columbia Orthopaedic Group declined to operate because Miles was on vacation. “They recognized the seriousness of the situation but did not act upon it,” Greenberg said.

Instead, the lawsuit says, Bryson was ordered to bed rest and heavily sedated for four days until Miles returned.

When Miles returned Aug. 20, he performed corrective surgery, but the operation wasn’t appropriate for Bryson’s condition, the lawsuit says. After the surgery, Bryson suffered spinal instability, bladder weakening, the inability to move without severe pain and panic disorder.

Doctors passed off the symptoms as mental in nature, the lawsuit contends, and they placed her on multiple psychoactive drugs and painkillers. She has since suffered from physical pain and mental anguish, according to the lawsuit. Her husband, Donald, also has suffered because of Bryson’s health conditions, the suit says.

Columbia Orthopaedic Group and Advanced Radiology are private and separate from the University of Missouri System. Orthopedic surgeons use university hospitals, including Regional Hospital.

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COLUMBIA MISSOURIAN

New GI Bill to cover tuition entirely at participating schools

NO MU MENTION

By Jenn Ballard
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COLUMBIA — Before Aug. 1, if a veteran wanted to attend a private college, that person would have had to find a way to pay what the GI Bill did not cover. But since the new GI Bill took effect at the beginning of the month, veterans enrolling in Columbia College could see their entire tuition waived.

Starting in the fall semester, veterans who are eligible for full benefits under the Post 9/11 GI Bill can receive up to $269 per credit hour, said Keila Ferree, senior coordinator for veterans services at Columbia College, which currently serves 130,000 veterans.

To receive benefits from the new provision in the bill, known as the Yellow Ribbon Program, a veteran must complete 36 months of aggregate active duty, Ferree said.

Ramona McAfee, assistant dean for military services, thinks some institutions are anticipating an increase in veteran enrollment of up to 25 percent.

With the Montgomery GI Bill, which has been in place since the end of World War II, veterans would receive their benefits from the VA and then have to pay the college themselves. But with the new program, the tuition costs are paid directly through the school, McAfee said.

A veteran must apply online through the U.S. Department of Veterans Affairs to receive their certificate of eligibility, which must be presented to a participating school.

The Yellow Ribbon Program applies to veterans from all branches of the military and for both part- and full-time students as well as students enrolled in online classes, Ferree said.
In Missouri, other benefits include a housing stipend of $880 per month and a $1,000 book stipend, McAfee said.

Ferree said that the success of the program will be easier to gauge after the fall semester.

"It remains to be seen how many veterans nationwide will take advantage of this bill," McAfee said.