

commentary

from other pens...

Republicans brace to defend their lead

By Will Lester
Associated Press Writer

WASHINGTON — With gubernatorial nominees chosen for fall contests in New Jersey and Virginia, Republicans say they have their work cut out to protect their 29-19 advantage among the nation's governors.

"The simple fact is that we've got more open seats than they do," said Clinton Key, senior political adviser to Republican governors. "Does that make it tougher? Absolutely."

Thirty-six governors' elections are scheduled next year and some of those contests are already taking shape in places like New York, Florida and California.

New Jersey's GOP primary was settled this week when Jersey City Mayor Bret Schundler handily defeated former Rep. Bob Franks.

Schundler initially was thought to be an underdog in that moderate state because he opposes abortion and supports gun ownership and school vouchers.

Before the primary, some Republicans had said a Schundler victory would hand the Statehouse to Democrat Jim McGreevey, the mayor of suburban Woodbridge who nearly defeated former Gov. Christie Whitman in 1997.

Some analysts think that could be the case, too.

"I think the Republicans would have been better positioned for a win with a candidate who didn't have to make so many retreats from positions he took in the primary," said Rutgers political scientist Ross Baker.

Colorado Gov. Bill Owens, a leading Republican governor, said Schundler may be underestimated by Democrats and political analysts.

"He's probably more conservative than some winners in New Jersey," said Owens. "But the way he came from behind and defeated the establishment just may make him a very attractive and iconoclastic candidate. "Sometimes you have to roll the dice."

In Virginia in November, wealthy Democratic businessman Mark Warner, who has raised almost \$7 million, will face former attorney general Mark Earley, who had scrambled to raise between \$2 million and \$3 million by early summer.

Polls show the race close despite Warner's money and high-profile start. "Warner's got the clear edge," said University of Virginia political scientist Larry Sabato. "He's got tons of money and he's willing to spend it."

Republicans counter Earley's conservatism will go over well in Virginia and note that he's close in the polls despite Warner's financial advantage. "I think we're going to win both Virginia and New Jersey and pick up five or six seats in 2002," said Vermont Gov. Howard Dean, who's heading the Democratic governors' election efforts.

He acknowledged Virginia will be tough for Democrats because Republicans are strong there and GOP national chairman Jim Gilmore is certain to provide heavy support in the state where he also is the governor.

The picture for some governors' races next year is coming into focus.

—In New York, Republican Gov. George Pataki will face one of two Democrats: former federal housing secretary Andrew Cuomo, son of former Gov. Mario Cuomo, or state comptroller Carl McCall, who is black.

—In Florida, Republican Gov. Jeb Bush could face one of several Democrats, including former U.S. Attorney General Janet Reno, Vietnam ambassador Pete Peterson, Rep. Jim Davis, state House Minority Leader Lois Frankel or state Sen. Daryl Jones.

—In California, Democratic Gov. Gray Davis could face either Secretary of State Bill Jones, businessman Bill Simon or outgoing Los Angeles Mayor Richard Riordan.

Republicans have 10 open seats in 2002; Democrats have four.

"If we come out of this election cycle and we've lost both races, it will be difficult for us to say we have support for our issues and the things we're trying to do," he said.

EDITOR'S NOTE — Will Lester covers polling and politics for The Associated Press.



Fighting over patient's rights

A debilitating civil war is underway in the American health care industry, and Congress will make it worse by passing the Kennedy-McCain patients' rights bill and inviting trial lawyers to enter the fray.

Kennedy-McCain is the medical profession's effort to counterattack its enemy, the insurance industry, using expensive lawsuits as a weapon. But innocent "civilians," i.e. patients, will pay the ultimate price.

The bill opens the way for patients to sue insurance companies and HMOs in state courts and win big settlements. Inevitably that will drive up the cost of health insurance and swell the ranks of the uninsured.

Some small businesses will drop coverage for employees because of the cost. Others will cut back on benefits and make employees pay a greater share of premiums.

All this would happen at a time when cost squeezing at every level is already undercutting the quality of care given to patients — leading to thousands of deaths every year from medical errors.

What's needed in the short run is a compromise solution on the patients' rights front. In the long run, some heavy thinking must be done to determine how to give patients better information about costs and care and a bigger role in their own health decisions.

The Kennedy-McCain bill in the Senate and its House companion, Ganske-Dingell, basically are doctors' revenge bills — an effort by physicians to seize back control of medicine from insurance companies and also punish them with lawsuits.

Up until the 1970s, doctors were in charge not only of medical decisions but also price decisions. They got rich, tended to support Republicans and were hostile to the trial bar, which sued them for malpractice, raising their insurance rates.

Then came managed care, an effort by employ-



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ers to contain health insurance costs, which were growing at nearly 20 percent a year.

Managed care put insurance company functionaries and HMO managers in charge of making medical decisions that doctors used to make — invoking physicians' ire, naturally.

In 1974, Congress protected multi-state employers by passing the Employee Retirement Income Security Act, which barred state regulation of and lawsuits against HMOs and other health plans when coverage was denied.

Operating behind this shield, HMOs earned a reputation for making money at patients' expense by denying medically necessary services.

All of this was part of the same unrelenting price squeeze that has hospitals underpaying nurses, overworking medical residents and sometimes ejecting patients when their insurance runs out.

More than 40 state legislatures have stepped into the gap by creating appeals processes and requiring that insurance plans cover certain basic medical services, such as referrals to emergency rooms and obstetricians. Courts also have chipped away at health plans' ERISA protection against lawsuits.

Not content with that progress, in the past few years doctors have been seeking Congress' help to score a decisive coup over insurers by passing a federal patients' rights bill that would not only regulate health plans nationally but also allow unlimited lawsuits in state courts.

The medical profession has switched sides, now teaming up with Democrats and trial lawyers, despite its experience with malpractice suits.

Physicians seem to have the attitude "if we're liable for big damages, the HMOs should be, too." According to the publication Medical Economics, injured patients get about 32 percent of the money awarded in malpractice lawsuits, while lawyers get 52 percent.

The Kennedy-McCain bill clearly is a case of civil war overkill in which the ultimate victims will be lower-income employees who will lose insurance coverage.

The Congressional Budget Office estimates that the bill will raise insurance premiums by about 4 percent. A widely credited study suggests that would result in more than 1.2 million people losing their insurance.

Doctors surely should have more say in medical decisions than insurance clerks in distant locations manning 800-number phone lines. And patients should be able to appeal when denied coverage and sue when not satisfied.

The Bush administration is backing a compromise bill, sponsored by Sens. John Breaux (D-La.) and Bill Frist (R-Tenn.), that embodies those principles and capping damage awards.

Instead of increasing the ranks of the uninsured, Congress and Bush should be helping lower-income workers afford health insurance.

They should also establish a commission to study longer-range options for ending the health care civil war and empowering patients.

Private employers, for instance, could be encouraged to do as the federal government does — give employees a range of insurance choices. And if they had to make choices, employees would get smarter about medical costs.

Before searching for utopia, however, Congress should observe the famous rule: First do no harm. Kennedy-McCain violates that maxim.

Morton Kondracke is executive editor of Roll Call, the newspaper of Capitol Hill.

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There's nothing like listening to the bull frogs

We were on the fishing dock at Sebelius Lake, enjoying the breeze on a warm summer evening.

There is something soothing about a lake in the evening, which was good, because the fish weren't biting yet.

But there were carp jumping. A blue heron fishing at water's edge. Bass were hitting the surface out in the lake.

There was a ballgame on the radio, and for awhile, life was good.

Pretty soon, the fish did start biting, at least for the guy on the next dock. The rest of us caught a few crappie. This guy was pulling in wipers.

I didn't mind. We wound up with enough fish for dinner, and any warm night spent on a lake is good — even when your team is losing.

Then a bullfrog started up on the other side of the cove. It was a sound I hadn't heard in years, but there is no mistaking that deep-throated croak.

Maybe there are bull frogs farther west, in some of the creeks and farm ponds, but when I was a kid growing up in Emporia, they were everywhere — on the river, in the ponds, all around the lakes.

And frogging was a common summer pastime. As kids, we loved it because you had to get wet.

You can take frogs in Kansas by gigging — hooking them with a long pole — or the fun way, by blinding them with a flashlight, wading softly up and grabbing them.

A deer caught in your headlights is a hundred times more mobile than a bull frog staring into a



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flashlight.

We always went out in our old flat-bottom aluminum boat. We'd wear swim trunks, a life belt and sneakers and be ready to leap into the water when we reached frog country.

You got to play in the water, walk in gooey mud and catch frogs. What more could a kid ask for?

Mom, who liked to eat frog legs, did not like to deal with frogs. Dad went with us, at least until we were old enough to go alone. We'd take old pillow cases to keep the frogs in — we kept them alive until Dad cleaned them — and by the time we got home, those bags would be squirming with frogs.

We hit on the system of dumping those frogs in the washing machine downstairs. Dad taught us to fill it with water and dump the frogs in, then close the lid.

As long as you remembered to keep the lid closed, this worked fine. If you forgot, and say went upstairs to get a pop, you might find the basement full of jumping croakers. And then you'd have to round 'em up, because Dad did not like the thought of his dinner getting away. Mom did not like the

thought of her dinner jumping around the house.

Us kids liked to go down and look at the frogs. We thought they were kind of neat. And it was good, until the day that Mom went down to wash some clothes in the morning, forgetting that her supper was in the washer.

I have to admit, opening the lid and seeing all those eyes staring out at you could be a little unnerving.

I don't care much for frog legs, and I haven't been frogging in years, but these are good memories. Today, I'm satisfied to sit on the dock, dangle my feet in the lake and listen to the night.

But I'd give anything to have a tape of those frogs jumping out on Mom.

berry's world

I'VE BEEN THIS WAY SINCE THE SCHOOL YEAR ENDED.

HEY! YOU'RE NOT THE ONLY ONE WITH "BOOKBAG BACK

