POLICY & PRACTICE

Labor Dept. Proposes FMLA Changes

Just in time for the 15th anniversary of the Family and Medical Leave Act (FMLA), the Bush administration issued a notice of proposed rulemaking that contains changes to the definition of a "serious health condition" and would allow employers to directly contact physicians to clarify FMLA claims. The law currently defines a serious health condition as requiring more than 3 consecutive calendar days of incapacity plus two visits to a health care provider. Under the proposal, the two visits would need to occur within 30 days of the period of incapacity. The proposed rule would also allow employers to directly contact health care providers to clarify a medical certification, provided that they met the requirements of HIPAA medical privacy regulations. The proposal also implements provisions of the National Defense Authorization Act of 2008, which provides for up to 26 weeks of leave to care for a service member recovering from a serious illness or injury and up to 12 weeks of leave in certain circumstances when a family member is on active military duty.

ACOG Opposes Home Births

With direct-entry midwives seeking licensing to attend home births in various states around the country, the American College of Obstetricians and Gynecologists has reaffirmed its longstanding opposition to home births. The safest location for labor, delivery, and the immediate postpartum period is in a hospital or birthing center, according to the ACOG statement. Further, the college supports the provision of care only by midwives who have been certified by either the American College of Nurse-Midwives or the American Midwifery Certification Board. Decisions on where to give birth should not be influenced by trends or what is fashionable, ACOG warned. "Unless a woman is in a hospital, an accredited freestanding birthing center, or a birthing center within a hospital complex, with physicians ready to intervene quickly, she puts herself and her baby's health and life at unnecessary risk," ACOG said in the statement.

Family Planning Budget at $300M

The Bush administration is seeking $300 million in Title X family planning funding for fiscal year 2009, the same level approved by Congress for fiscal year 2008. The budget request, which is now in the hands of Congress, fails to keep up with rising medical costs and the growing demand for services, reproductive rights advocates said. With 17 million women in need of publicly funded family planning services, the Title X budget should be increased by at least $100 million in FY 2009, according to the Planned Parenthood Federation of America. "Had Title X funding kept pace with medical inflation since FY 1980, last year it would have been funded at more than $725 million," Mary Jane Gallagher, president and CEO of the National Family Planning and Reproductive Health Association, said in a statement.

Ensuring Mifepristone Safety

Following reports of tainted leukemia drugs being produced by the China-based company Shanghai Pharmaceutical Group, the Food and Drug Administration is being asked to account for the safety of another one of the company's products—mifepristone. Rep. Henry Waxman (D-Calif.), chairman of the House Committee on Oversight and Government Reform, and the Planned Parenthood Federation of America are both calling on the FDA to share its plans for ensuring the safety of mifepristone. In a letter to the FDA, Rep. Waxman requested a briefing from the agency on the status of all inspections performed by the FDA at facilities owned by the Shanghai Pharmaceutical Group that manufacture drugs intended for export to the United States. Mifepristone is not manufactured at the same facility as the tainted drugs, and the mifepristone facility passed inspection by the FDA in May 2007, according to an FDA spokesman. The agency is considering whether follow-up inspections are necessary, the spokesman said.

Top 10 Ailments Cost $500B in 2005

The nation's 10 most expensive medical conditions cost about $500 billion to treat in 2005, according to the Agency for Healthcare Research and Quality. Heart disease topped the list at $76 billion, with trauma second at $72 billion and cancer third at $70 billion. Mental illness, including depression, cost $56 billion, and asthma and chronic obstructive pulmonary disease cost $54 billion. Hypertension cost $42 billion to treat, type 2 diabetes cost $34 billion, and osteoarthritis/joint diseases also cost $34 billion. Back problems and normal childbirth rounded out the list at $32 billion each. The agency counted money spent on office visits, clinic and emergency department use, hospital stays, home health care, and prescription medicines.

—Mary Ellen Schneider

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