

Administration reverses on end-of-life counseling

January 5 2011, By RICARDO ALONSO-ZALDIVAR , Associated Press

(AP) -- Reversing a potentially controversial decision, the Obama administration will drop references to end-of-life counseling from the ground rules for Medicare's new annual checkup, the White House said Wednesday.

The latest shift on the sensitive subject comes ahead of a vote next week in the new GOP-led House to repeal President Barack Obama's landmark health care overhaul.

The decision is not likely to have much impact on patients and doctors already discussing options for care in the last stages of life. For example, voluntary end-of-life planning is already covered as part of the "Welcome to [Medicare](#)" doctor visit, available to seniors within the first year of joining the program.

The original House version of the overhaul legislation sought to expand coverage, allowing for discussions every few years. But the plan was dropped after Sarah Palin and other Republicans raised the specter of "death panels" deciding the fate of vulnerable seniors. Those charges were later debunked by several non-partisan fact-checking groups.

End-of-life counseling unexpectedly surfaced again late last year in a Medicare regulation that spelled out what would be covered in a new annual checkup, or wellness visit, authorized by the [health care law](#). Issued without fanfare, the regulation said such voluntary doctor-patient

discussions could be part of the annual visit.

White House spokesman Robert Gibbs said the administration still supports end-of-life planning, but is pulling the language from the regulation because there wasn't enough chance for all sides to comment on the change. "We did not think that the process (gave) the public an adequate space in a public comment period to debate these kinds of things," Gibbs told reporters.

Discussions about how to face the end of life are already an accepted part of care for people with a terminal illness, and the administration's reversal is unlikely to have much impact on that. Longstanding federal rules require [hospital patients](#) to be informed of their right to spell out in a living will or similar document their wishes about being kept alive by machinery if there's no hope for a cure.

However, many doctors and public health advocates believe the government should take a more direct role in encouraging people to plan ahead. They say it would save families the ordeal of having to make agonizing decisions when a loved one is incapacitated.

Opponents counter that such decisions are highly personal, and government should stay out. They worry that explicitly including end-of-life counseling in Medicare rules could send an indirect message that people facing serious illness should be nudged toward hospice care, giving up on seeking a cure.

The new regulation was first reported by The New York Times.

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