UVa.'s Sabato: Virginia NOT "a modern cesspool of corruption"

As yet another scandal rocked Virginia’s General Assembly, University of Virginia political scientist Larry Sabato - RAM’s Sept. 16 keynote speaker - once again is putting things in perspective.

Sabato told the Times-Dispatch yesterday: "I'm not sure Virginia was as clean in the old days as its prevailing reputation suggested."

Sabato will bring his famed "crystal ball" to talk about Virginia and national politics at our Sept. 16 general meeting at the University of
Sabato's comments were part of TD article headlined "Scandals put harsh spotlight on Va. politics."

The coverage was prompted by a special grand jury indictment of Henrico Democratic Del. Joe Morrissey on four felony charges that last August he had sex with a minor and solicited pornographic images of the victim. At the time, she was 17 years old and worked in his law office as the receptionist.

Lawyers for Morrissey said he was being "persecuted" by a special prosecutor called in the case, Spotsylvania County.

Commonwealth's Attorney William Neely, who was charged by Morrissey's representatives with pursuing "an ongoing vendetta" against the controversial Richmond lawyer.

If convicted of all the felonies, Morrissey faces more than 40 years in prison, according to The Washington Post.

After his indictment, a defiant Morrissey held a long, televised press conference (A local TV station severed coverage when the delegate used an expletive as he quoted an obscene text message that he said had been planted in his cell phone.).

Morrissey said he was the victim of a plot by his receptionist's father, who, the delegate said, had been beating her and came to his home for advice.

The father then followed his daughter to Morrissey's home, called the police, and the legal fireworks began.

Despite calls for his resignation, a defiant Morrissey said "there's not a snowball's chance in hell" that he would resign over the allegations.

Morrissey has "been grabbing headlines since he was elected Richmond's commonwealth's attorney in 1989," the TD reports.
Or as the Post put it: Morrissey, "a former prosecutor with a history of public controversies including a courtroom fistfight and a revocation of his law license, had been under criminal investigation since August, when police found the girl in his home about midnight on a Friday. Police were tipped off by the girl's father, according to court documents released Monday."

After several years teaching law abroad in Ireland and Australia, Morrissey returned to Richmond in 2006 and had his law license reinstated in 2012. He was elected to the General Assembly in 2008, representing Charles City County, and portions of Henrico and Richmond.

Morrissey is a familiar face to RAM members who take part in *White Coats on Call* visits to his legislative office.

Three years ago, Neely, the special prosecutor, described Morrissey as a man who "completely lacks any moral compass."

Morrissey is also charged with having "engaged in repeated consensual acts of sexual intercourse with (the victim) at his law offices." According to the TD's report of the indictment, Morrissey and the victim "sent out nearly simultaneous text messages to their respective friends confirming this sexual encounter."

The next day Morrissey allegedly sought a nude photograph of the girl "to help him fantasize about their sexual encounter."

The TD notes this summer's "scorcher in Virginia politics," with the "historic corruption trial of former Gov. Bob McDonnell" in federal court, and another federal investigation involved the recent resignation of state Sen. Phillip P. Puckett, D-Russell.

Click [here](#) for a list of area officials who have faced felony charges over the years.

As Virginia has become more competitive in national politics, "One of the side effects of greater national scrutiny is that norms of behavior that previously may have been overlooked
or outright accepted are suddenly considered illegal," said **Quentin Kidd, a political scientist at Christopher Newport University.**

What's been called in the past the genteel "Virginia Way" may "have a dark underbelly," Kidd said.

UVA.'s Sabato advised against any rush to judgment, however. "Any indictment is simply a charge of wrongdoing, and everyone - including public officials - is entitled to a presumption of innocence."

**Can Bon Secours and Anthem Work It Out?**

**Bon Secours Virginia Health System** and **Anthem Blue Cross Blue Shield** continue to try to hammer out a contract that would keep Bon Secours hospitals and doctors in Anthem health plans' networks past a Nov. 7 deadline," reports the Times-Dispatch.

The contract dispute took another turn last week, the TD reports, as "an HCA executive has written a blog post saying the unusually public status of the negotiations is creating confusion and market unrest."

The paper quoted a blog from **Tim McManus, CEO of HCA Virginia's Chippenham and Johnston-Willis Hospitals.** "When ... all of a sudden there is this front-page story that says you may as of Nov. 7 not be able to go to certain hospitals or certain doctors, I think that creates a lot of confusion in the marketplace," he wrote.

The paper noted: "HCA and Bon Secours compete for patients and market share."

Anthem and Bon Secours officials told the paper they expect to reach an agreement before the Nov. 7 contract termination.
But the TD added, "But if for some reason they don't, people insured with certain Anthem plans may no longer be able to get in-network care at Bon Secours properties, which include St. Mary’s, St. Francis, Memorial Regional and Richmond Community hospitals... It also would affect the three hospitals and practices Bon Secours operates in Hampton Road."

If this happens, and Anthem plan patients have to pay "out of network" prices, the TD speculates, "This would mean more patients for HCA's hospitals and doctors."

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**Will McAuliffe Put a Human Face on Medicaid Plan?**

It's easy - and inevitable - for both political parties to politicize an issue that has left 400,000 Virginians still without health insurance.

But once the rhetoric cools, Gov. Terry McAuliffe and his administration would do well to heed some recent advice from political scientists and pundits alike: He needs to do a better job selling the program to Virginia voters, by putting a human face on it. He shouldn't rely on big business and hospitals leaders to make his case to voters.

"I don't think the McAuliffe people sold Medicaid expansion very well," said Quentin Kidd, a political scientist at Christopher Newport University. He was quoted in this column by Robert McCartney of The Washington Post.

"Their approach was to play an insiders' game - 'Let's get chambers of commerce and hospitals on our side,'" Kidd told McCartney. "I didn't see them put a human face on Medicaid expansion."

The Post's McCartney, who supports McAuliffe's expansion efforts, offered this free advice: "The arguments for expanding Medicaid will grow stronger with time. Virginia will look foolish for turning away federal dollars while other states show no such self-destructive restraint. Even conservative Republican governors in Ohio and Arizona support Medicaid expansion."

He notes that it took McAuliffe's GOP predecessor, Bob McDonnell, three years to gain passage of his landmark transportation bill.
"Most Republicans didn't like that, either," McCartney concludes. "Ultimately, enough went along because the logic was so persuasive."

Ex-Bush Official Hired by GOP for Medicaid Fight

President George W. Bush's former solicitor general is now working for Virginia's House Speaker "to bolster the House's legal case against a unilateral expansion of health insurance coverage by Gov. Terry McAuliffe," the TD reports.

House Speaker William J. Howell and other House Republican leaders held a news conference call with former Solicitor General Paul D. Clement. The former Bush administration official will be paid $25,000 from a fund controlled by the House Clerk's Office to retain his law firm for analysis and potential legal action to block McAuliffe from expanding health coverage without General Assembly approval.

Said Howell: "Obviously, we're not going to go to the attorney general to ask for help on this because he's going to do everything to expand Medicaid he can."


Howard could earn up to $10,000 for his consulting fees.

Bottom line: Lawyers and other consultants doing well; 400,000 uninsured Virginians, not so much.

Click here for a TD editorial on other related issues in the Medicaid dispute, including the Father's Day flap when Speaker Howell got a Capitol police official to open the door to McAuliffe's office to deliver the state budget.

"Welcome to New Jersey," the TD commented.

Access Now: Life Preserving for the Uninsured

Read here to learn more about the great work of Academy volunteers as reported in Access Now's latest annual report for 2013. Last year, 907 physician volunteers and mid-level providers donated free specialty care valued at more
than $4.5 million, helping 2,672 individuals receive life-preserving care.

You can also read the latest edition of The Patient’s Navigator about the continuing work of Access Now in the greater Richmond community.

Donna and James Foster, a hard-working couple from the Northern Neck, said of Access Now’s volunteers: "They just saved our lives. That's the bottom line."

Fosters Thank Access Now Volunteers

Rufus Phillips Resigns at MSV

Rufus Phillips has resigned as executive vice president of the Medical Society of Virginia, where he has served since late 2007, reports the Times-Dispatch.

Phillips will remain employed by MSV for an unspecified period of time, providing "advisory guidance to the senior leadership of the organization as needed," according to a letter to MSV members cited by the TD.

Supreme Court Limits Birth Control Rule

The Supreme Court Monday ruled that requiring family-owned corporations to pay for insurance coverage for contraception under Obamacare violated a federal law protecting religious freedom.

"The 5-to-4 ruling, which applied to two companies owned
by Christian families, opened the door to many challenges from corporations over laws that they claim violate their religious liberties," reports The New York Times.

The ruling could lead to higher voter turnouts in this fall's mid-term congressional elections and statewide races, and "may have handed Democrats an issue that will turn out liberal voters in the fall," another Times report says.

But as conservatives celebrated the court's decision, it also may be a "culture-war ruling that both sides can run on," says the Times.

**FTC Questions Hospital & Large Practice Deals**

As the health sector sees a spike in mergers and acquisitions - a growing trend since the 2010 passage of the Affordable Care Act - the Federal Trade Commission has increased its focus on the "glut of M&A activity," reports The Morning Consult.

"While the FTC doesn't challenge the vast majority of health care provider acquisitions, we will step in to challenge acquisitions that give a firm market power," said FTC commissioner Julie Brill. "The ACA and antitrust enforcement are aligned in the need to achieve this goal."

But this article raises questions about how Obamacare encourages "collaboration and integration" - which could lead an executive to think M&A. Look for battles ahead on the issue, and legal headaches for hospital executives and large physician groups.

**Shhh...Data Brokers Telling Docs about Patient Vices!**

Hospitals are "starting to use detailed consumer data to create profiles on current and potential patients to identify those most likely to get sick," reports Bloomberg.com.

As a result, "You may soon get a call from your doctor if you've let your gym membership lapse, made a habit of picking up candy bars at the check-out counter or begin shopping plus-sized stores."

Among the hospital chains adopting this Big Brother mode: the 2 million member Carolinas HealthCare System, which is "placing its data, which includes purchases a patient has made using a credit card or store loyalty card, into predictive models that gives a risk score to patients."
Can Virginia be far behind? (don't answer that!).

**Flawed Saudi Response Fueled MERS Outbreak; Camels' Milk Suspected**

As the **MERS outbreak** widened in the port city of Jidda in Saudi Arabia, a widespread panic ensued, reports The New York Times.

"Some doctors and nurses refused to treat the sick or stopped coming to work altogether. Patients panicked. One surgeon recalled a man with a broken limb trying to flee the emergency room so he would not catch it, too."

The surgeon, Dr. Mohammed Ahmed, told the Times: "Everyone was afraid."

It was "the darkest hour since the new illness, known as Middle East Respiratory Syndrome, or MERS, first appeared in Saudi Arabia in 2012. In all, more than 700 cases have been documented in 20 countries, nearly all of them linked to Saudi Arabia. More than 250 people have died."

Though the number of cases appears to be falling, the World Health Organization says "the situation remains serious" and that hospital outbreaks should be investigated for breaches in safety protocols.

One problem, the Times notes, is a lack of openness and transparency with world health officials, the Times reports.

MERS is a coronavirus, like SARS, and both are thought to have originated in bats and then spread through other animals to people.

"But while SARS circulated in obscure forest animals like palm civets that are eaten in southern China, MERS infects camels, which are common to the Middle East," reports the Times. "MERS seems to jump more easily to humans, possibly in raw camel milk, but it spreads likes readily between people than SARS did."
Can Va. GOP Come Together?

Ever since Randolph-Macon economist Dave Brat dethroned House Majority Leader Eric Cantor last month, "the political newcomer has vowed to bring together the warring factions of the Republican Party," reports The Washington Post.

But Cantor loyalists "outmaneuvered Brat supporters" to strip the 7th District Committee of most of its budget - nearly $400,000. "In a savvy bit of parliamentary procedure, they voted to send the money to national GOP organizations based in Washington - leaving empty-handed the conservative activists who planned to use the money to build a get-out-the-vote operation" for Brat.

"It was retribution," said Robert Stuber, a GOP leader from Spotsylvania County who supported Brat.

But "establishment Republicans insist their plan is best for Brat as well as Ed Gillespie, the Republican Senate nominee for Virginia who is trying to unseat Mark R. Warner, the popular, one-term incumbent Democrat."

Obamacare Keeps on Truckin'

Obamacare - the nation's political lightning rod since 2010 - actually is doing quite well, according to Nobel prize-winning economist Paul Krugman.

The progressive columnist writes in The New York Times: "What's interesting about this success story is that it has been accompanied at every step by cries of impending disaster. At this point, by my reckoning, the enemies of health care are 0 for 6. That is, they made at least six distinct predictions about how Obamacare would fail - every one of which turned out to be wrong."

Meanwhile, a new rule will help those people who signed up this year, allowing them to automatically renew coverage.

Despite its successes, the Obama Administration faces
serious questions raised by independent auditors who "found that federal and state officials did not properly check the eligibility of people seeking coverage and applying for subsidies," reports The New York Times.

This is "the latest indication of unresolved problems at Healthcare.gov."

**Medicare Readies Penalties for Hospitals**

Medicare has identified 175 hospitals likely to be penalized for high rates of infections and complications, including three in Virginia, reports Kaiser Health News.

They are: **Hiram W. Davis Medical Center in Petersburg; Rappahanock General Hospital in Kilmarnock (on the Northern Neck); and Riverside Doctors' Hospital in Williamsburg**, according to Kaiser.

Click [here](#) for more about what's likely to happen to them.

**Email's Death "Greatly Exaggerated"**

If you're reading this, you are proof that e-mails have not died, argues The New York Times' media critic, David Carr.

"Email newsletters, an old school artifact of the web that was supposed to die along with dial-up connections, are not only still around, but very much on the march."

As proof, he cites a new momentum across the media and publishing spectrum, including Bloomberg, Politico, and Fast Company (and the Times).

How can this be as social media, mobile apps and dynamic websites "that practically stalk the reader" are supposed to be the present and future?

"Newsletters are clicking because readers have grown tired of the endless stream of information on the Internet, and having something finite and recognizable show up in your inbox can impose order on all that chaos."

So, dear reader, thanks for reading The Leg.Up, and we'll do our best to find order amid the chaos!

**What's Happening?**
Check your RAM calendar [here](#).

Check out [back issues](#) of The Leg.Up.

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