HEALING AMERICAN HEALTHCARE
C O A L I T I O N

When it comes to healthcare, Abbott & DeSantis is Fundamentally Frightening!

Ed Eichhorn and I hadn't planned on publishing back-to-back issues of the Three Minute Read™ to begin 2024, but the news from Florida and Texas on vaccines and EMTALA made my blood boil. I was seeing visions of George Orwell's *"1984"* and Aldous Huxley's *"Brave New World"* (no surprise, both are banned in many Florida school districts).

Against the recommendations of federal health agencies, Florida Surgeon General Dr. Joseph Ladapo has called for a *"halt in the use of Covid-19 mRNA vaccines"* based on his concerns about *"nucleic acid contaminants"* in the Pfizer and Moderna Covid-19 mRNA vaccines, and the *"unique risks posed by DNA integration."* Peter Marks, director of the FDA's Center for Biologics Evaluation and Research, said that it was implausible *"that the minute amounts of small DNA fragments present could find their way into the nucleus of these cells."* Appointed surgeon general in 2021 by Gov. Ron DeSantis, Dr. Ladapo has since increasingly aligned himself with anti-vaccine claims that the shots cause serious harm, ignoring the 20 years of basic research behind their development.

The 2023 Nobel Prize in Physiology or Medicine was awarded to University of Pennsylvania scientists Katalin Kariko and Drew Weissman for their relentless research to find a specific chemical modification to mRNA synthesized in the lab before injecting it into cells that avoided provoking an immune response. The Nobel Prize panel noted that their discovery *"fundamentally changed our understanding of how mRNA interacts with our immune system and contributed to the unprecedented rate of vaccine development during one of the greatest threats to human health in modern times."*

Florida's Covid vaccination rates remain among the lowest in the US.

The Emergency Medical Treatment and Active Labor Act (EMTALA) was enacted in 1986 after Dallas-area for-profit hospital EDs performed *"wallet biopsies"* to identify uninsured patients before dumping them on Parkland Medical Center. EMTALA requires emergency rooms to provide stabilizing care regardless of a patient's ability to pay. After SCOTUS overturned Roe v. Wade, HHS issued guidance in July 2022 that instructed hospitals that federal law requires doctors to perform abortions, even in states where it is banned, if they believe it is *"the stabilizing treatment necessary"* to protect the health of the mother in an emergency medical situation.

Texas Gov. Greg Abbott's Attorney General sued to overrule the guidance and the US Court of Appeals for the Fifth Circuit sided with the state: *"EMTALA does not provide an unqualified right for the pregnant mother to abort her child especially when EMTALA imposes equal stabilization obligations. We therefore decline to expand the scope of EMTALA."*

When I was growing up in Jersey City in the 1940s and 1950s, Bud Abbott and Lou Costello were the highest paid comedic duo in the world. Their classic *"Who's on First?"* routine is enshrined in baseball's Hall of Fame. I laughed my butt off through movies like *"Abbott & Costello meet Frankenstein."* They were frighteningly funny.

Fast forward to the 2020s and the Covid-19 pandemic. I wrote a series of articles for **garden state focus**, the quarterly newsmagazine of the New Jersey Chapter of the Healthcare Financial Management Association, to keep my colleagues informed about the pandemic and how the US was doing. The fifth article in the series, *"Pandemic Year 3: How is the US Doing?"*, was published in October 2022.

In that article, I analyzed the relative performance of the 38 member nations of the Organization for Economic Cooperation and Development (OECD), comparing various groups of countries to both the US and Canada (e.g., four Pacific Rim countries, five Scandanavian countries, the G-7 countries and seven former Soviet satellite states).

I then delved into the underlying reasons for America's poor pandemic performance. As part of the analysis, I looked at the comparative performance of the three Northeast states hit hard at the outset of the pandemic (Massachusetts, New Jersey and New York) and three Sunbelt states (Florida, Georgia and Texas) for the two-year period ended June 30, 2022. By mid-year 2020, the world had sound insights in how to battle Covid, so the playing field now was level.

Below is an excerpt from that article, *"Why has the US underperformed its peers?,"* for your review. It includes charts, tables and references. During that two-year period, the fatality rate for the three Northeast states ranged from 183-199/100,000 compared with a range of 292-334/100,000 for the three Sunbelt states. The OECD average for that period was 188/100,000. The three Northeast states performed at the OECD average while the three Sunbelt states performed on a par with the seven former Soviet satellite states (see Chart 8 and Table 1).

What factors account for the significant differences? There may be others, but vaccination rates and leadership account for much of the difference. Governors Baker, Cuomo and Murphy placed top priority on protecting their state's residents. In the three Northeast states, 77-80% of the population were fully vaccinated compared with 56-69% in the three Sunbelt states. Governors Abbott, DeSantis and Kemp chose to sideline science, ignoring advice from the CDC while those in the Northeast followed CDC guidance, saving thousands of lives.

The three Northeast states all were in the top 10 in the latest US News & World Report healthcare rankings The three Sunbelt states were in bottom half (Florida, 27, Texas, 32, Georgia, 41).

While the comedic duo of Abbott & Costello was frighteningly funny, **the gubernatorial duo of Abbott & DeSantis is fundamentally frightening!**

Pandemic Year 3: How is the US Doing?

By John J. Dalton, FHFMA

Excerpt from **Garden State Focus**, Vol 69, num 1, October 2022

Why has the US underperformed its peers?

Except for a six-month period beginning in April 2021, America's per capita fatality rate has consistently ranked in the bottom quartile of the OECD. By August month-end, the US had moved up to 26th in the rankings, just behind France and Spain, but ahead of both Italy and the UK. By 6/30/22,
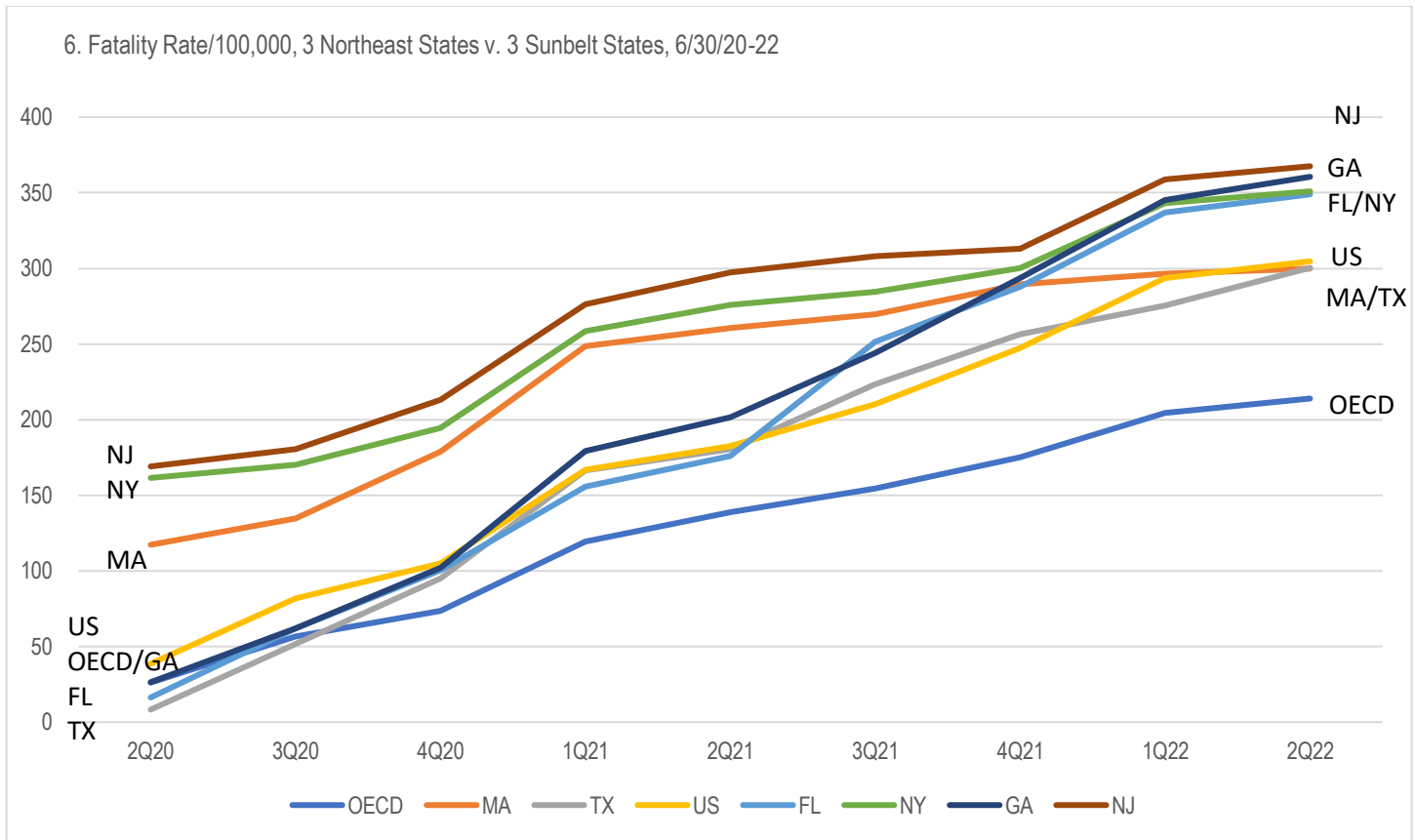
all four countries had moved into the third quartile (France – 21; Spain – 22; UK – 25 and Italy – 28) while the US plummeted to 31st of 38, trailed only by the seven former Soviet satellite states (see Table 1, attached).

Why has the US underperformed its peers by such a wide margin? The main reasons are discussed in detail in Chapters 3 and 4 of "Healing American Healthcare: Lessons from the Pandemic" (1). The early response was hampered by former President Trump's repeated refusal to take responsibility for combating the pandemic. When the first US case was confirmed in Washington state, on January 22 he told CNBC: *"We have it totally under control. It's one person coming in from China, and we have it under control. It's – going to be just fine (2)."* After the first confirmed death on February 6th, most of the messaging from the White House continued to downplay the threat. BBC News' North American reporter Anthony Zurcher cited the following mistakes (3):

- Testing delays due to the administration's disregard of pandemic response plans and failure to staff its public health bureaucracy;
- Medical supply shortages (masks, gloves, gowns and ventilators) due both to the government's failure to maintain the stockpile and failure to move quickly when the crisis became apparent;
- Messaging "whiplash" and political squabbles, downplaying the threat during January and February; and
- Social distancing failures like the packed Florida beaches during spring break.

On a positive note, Zurcher cited the March 25th passage of the $2.2 trillion CARES Act and America's research firepower as hopeful signs for dealing with the pandemic. The May 25th announcement of Operation Warp Speed, a public-private partnership to facilitate and accelerate the development and distribution of Covid-19 vaccines, therapeutics and diagnostics is arguably the most effective response to the coronavirus undertaken by the Trump administration. By November 2020, both Moderna and Pfizer/BioNTech had safe, effective vaccines ready for FDA review.

The two year-period from 6/30/20-6/30/22 paints a sad picture of the US response to the worst global pandemic in more than a century (see Chart 6).

6. Fatality Rate/100,000, 3 Northeast States v. 3 Sunbelt States, 6/30/20-22

Charts 7 and 8 display comparative results for three Northeast states (New Jersey, New York and Massachusetts) with three Sunbelt states (Florida, Georgia and Texas). During that two-year period, the fatality rate for the three Northeast states ranged from 183-199/100,000 compared with a range of 292-334/100,000 for the three Sunbelt states. The OECD average for that period was 188/100,000.

Inaugurated the day after America's death toll surpassed 400,000, President Biden declared: *"To a nation waiting for action, let me be clear on this point: help is on the way* (4)*."* His initial goal of administering 100 million vaccine doses in his first 100 days was reached on day 58, and more than 200 million doses were administered by day 100. On March 11 – the one-year anniversary of the World Health Organization's declaration of Covid-19 as a global pandemic – the $1.9 trillion American Rescue Plan Act was signed into law. Not a single Republican in the House or Senate voted for it (5). The US climb in the OECD rankings was well underway.
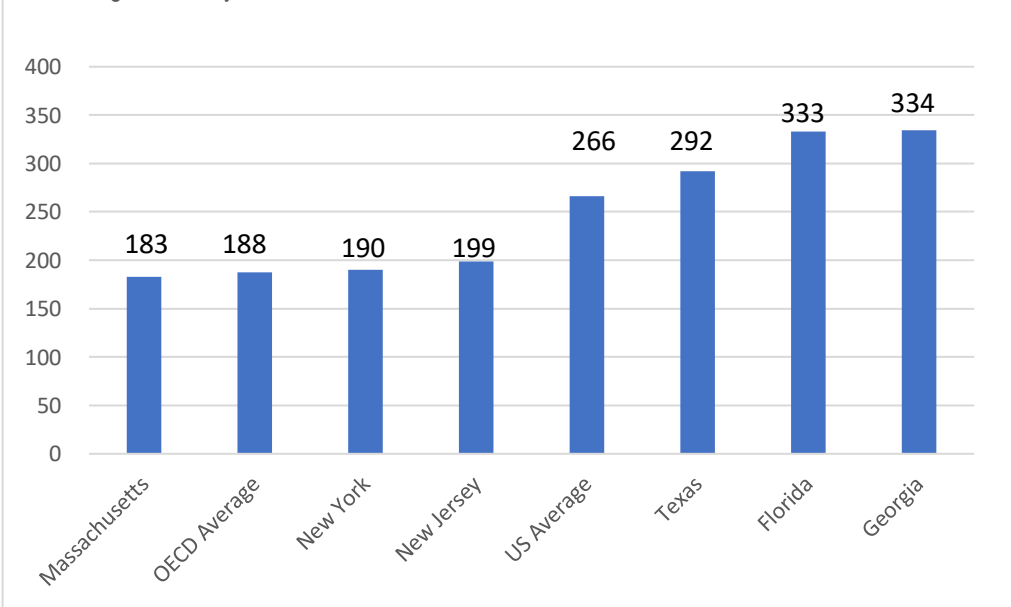
Delta dawned in Spring 2021 and by summer had kicked off a third wave of infections concurrent with increasing vaccine hesitancy in many states. That led CDC Director Dr. Rochelle Walensky to declare Covid-19 a pandemic of the unvaccinated, stating that the vaccine is so effective that *"nearly every death, especially among adults, due to Covid-19, is, at this point, entirely preventable (6)"*. In September 2021, Mississippi surpassed New Jersey as the state with the highest rate of Covid-19 deaths (7). New Jersey was hit hard in the spring of 2020 at the start of the pandemic, long before vaccines were available, but along with other states in the Northeast, had worked diligently to protect their residents from Covid-19. Despite having full vaccine availability, by 6/30/22, another six states (Arizona, Oklahoma, Alabama, West Virginia, Tennessee, New Mexico and Arkansas) had higher Covid-19 fatality rates than New Jersey. The US began its decline in the OECD rankings.

7. Fatality Rate/100,000, 3 Northeast States v. 3 Sunbelt States, 6/30/20-22

The three Northeast states were one of the global epicenters of the pandemic during the initial outbreak. Like many of the European countries, their long-term care facilities experienced disproportionately high Covid-19 fatality rates (8). Since then, they have performed at the OECD average while the three Sunbelt states performed on a par with the seven former Soviet satellite states.

8. Change in Fatality Rate/100,000, 6 Selected States, 6/30/20-6/30/22

What accounts for the significant differences? The author will leave it to future scholars to do a deeper dive, but two factors clearly account for much of the difference: vaccination rates (9) and leadership. Governors Baker, Cuomo and Murphy placed top priority on protecting their residents. In the three Northeast states, 77-80% of the population are fully vaccinated compared with 56-69% in the three Sunbelt states. Vaccination rates in the seven former Soviet satellite states range from 51-

69%. Governors Abbott, DeSantis and Kemp chose to sideline science, ignoring advice from the CDC while those in the Northeast followed CDC guidance. Had the entire US adhered to CDC guidance, it's likely that America could have matched Germany's performance and nearly 500,000 lives could have been saved.

References:

1. Healing American Healthcare: Lessons from the Pandemic, by John J. Dalton, FHFMA and Edward C. Eichhorn Jr, 2021
2. CNBC TRANSCRIPT: President Donald Trump sits down with CNBC'S Joe Kernen at the World Economic Forum in Davos, Switzerland, CNBC's Squawk Box, 1/22/20
3. Coronavirus: Things the US has got wrong – and got right, BBC News, Anthony Zurcher, North America reporter, 4/1/20
4. Biden signs burst of virus orders, vows 'Help is on the way', by Ricardo Alonso-Zaldivar and Zeke Miller, Associated Press, 1/21/21
5. Will the American Rescue Plan Reduce the Number of Uninsured Americans?, by Sara R. Collins and Gabriella Aboulafia, The Commonwealth Fund, 3/22/21
6. Nearly all Covid deaths in the US are now among unvaccinated, by Carla K. Johnson and Mike Stobbe, Associated Press, 6/24/21
7. Mississippi Now Has Country's Highest Rate for Covid Deaths, by Leah Willingham, Associated Press, 9/15/21
8. N.J. governor unveils proposal on improving nursing home outbreak response, Modern Healthcare, 6/4/20
9. Johns Hopkins Coronavirus Resource Center

Table 1. Confirmed Cases and Fatality Rates, OECD Countries as of 6/30/2022

Rank	Confirmed Cases (1)	Fatalities (1)	Fatality Rate (%)	38 OECD Countries	Population (2)	Cases per 100,000	Fatalities per 100,000
1	9,293,629	31,263	0.3%	Japan	125,905,043	7,381.5	24.83
2	1,344,275	1,467	0.1%	New Zealand	4,879,896	27,547.2	30.06
3	8,130,927	9,897	0.1%	Australia	25,910,156	31,381.2	38.20
4	193,987	153	0.1%	Iceland	344,504	56,309.1	44.41
5	18,359,341	24,547	0.1%	South Korea	51,334,293	35,764.3	47.82
6	1,446,564	3,337	0.2%	Norway	5,843,535	24,754.9	57.11
7	1,133,597	4,832	0.4%	Finland	5,553,421	20,412.6	87.01
8	3,948,112	41,911	1.1%	Canada	38,246,108	10,322.9	109.58
9	3,216,229	6,512	0.2%	Denmark	5,822,296	55,239.9	111.85
10	15,123,331	99,032	0.7%	Turkey	85,672,389	17,652.5	115.59
11	4,338,698	10,958	0.3%	Israel	8,854,312	49,001.0	123.76
12	8,283,818	22,992	0.3%	Netherlands	17,190,607	48,188.0	133.75
13	1,600,614	7,499	0.5%	Ireland	5,018,969	31,891.3	149.41
14	3,759,730	13,828	0.4%	Switzerland	8,741,810	43,008.6	158.18
15	904,934	8,525	0.9%	Costa Rica	5,157,718	17,545	165.29
16	28,181,161	141,105	0.5%	Germany	84,177,751	33,478.2	167.63
17	263,167	1,094	0.4%	Luxembourg	640,960	41,058.3	170.68
18	2,515,769	19,093	0.8%	Sweden	10,192,160	24,683.4	187.33
19	580,114	2,591	0.4%	Estonia	1,327,849	43,688.3	195.13
20	4,447,278	20,037	0.5%	Austria	9,082,066	48,967.7	220.62
21	31,151,971	150,530	0.5%	France	65,486,233	47,570.3	229.87
22	12,734,038	107,906	0.8%	Spain	46,781,452	27,220.3	230.66
23	5,160,861	24,121	0.5%	Portugal	10,152,912	50,831.3	237.58
24	5,986,917	325,638	5.4%	Mexico	130,926,674	4,572.7	248.72
25	22,895,869	180,920	0.8%	United Kingdom	68,411,120	33,468.1	264.46
26	6,151,354	139,970	2.3%	Colombia	51,681,176	11,902.5	270.83
27	4,225,222	31,903	0.8%	Belgium	11,663,899	36,224.8	273.52
28	18,438,877	168,294	0.9%	Italy	60,330,865	30,562.9	278.95
29	3,661,004	30,218	0.8%	Greece	10,348,049	35,378.7	292.02
30	3,979,797	58,467	1.5%	Chile	19,357,772	20,559.2	302.03
31	**87,581,054**	**1,017,467**	1.2%	**United States**	**333,865,970**	26,232.4	**304.75**
32	6,014,404	116,424	1.9%	Poland	37,785,440	15,917.3	308.12
33	1,037,714	6,651	0.6%	Slovenia	2,108,977	49,204.6	315.37
34	835,172	5,860	0.7%	Latvia	1,855,470	45,011.3	315.82
35	1,160,680	9,173	0.8%	Lithuania	2,666,316	43,531.2	344.03
36	2,550,368	20,146	0.8%	Slovak Republic	5,463,567	46,679.5	368.73
37	3,932,745	40,316	1.0%	Czech Republic	10,738,133	36,624.1	375.45
38	1,928,125	46,647	2.4%	Hungary	9,624,216	20,034.1	484.68
	336,491,447	2,951,324	0.9%	Total OECD	1,379,144,084	24,398.6	214.0

DATA SOURCES:

1. Johns Hopkins Coronavirus Resource Center

2. Organisation for Economic Co-operation and Development, World Bank

About the Author:

John J. Dalton, FHFMA serves as Senior Adviser Emeritus at BESLER *and co-founded the* Healing American Healthcare Coalition *where he serves as Editor of the* Three Minute Read™*, its twice-monthly newsletter. He* is a Past President of the New Jersey Chapter of the Healthcare Financial Management Association, served on the HFMA National Board from 1994-96 and was the 2001 recipient of the Frederick C. Morgan Award for Individual Lifetime Achievement. The New Jersey Hospital Association named him as its 2017 Hospital Trustee of the Year.