

John Carter says unaccountable board created by health care overhaul will have ability to come between "you and your doctor" in determining best treatment options

Saying he's committed to repealing Obamacare, U.S. Rep. John Carter, R-Round Rock, told constituents: "You may not be aware of one of the most frightening provisions in the president's healthcare plan -- the creation of the Independent Payment Advisory Board."

Carter's July 31, 2012, letter continues: "This board, comprised of 15 unelected, unaccountable people hand-picked by the president, will have the ability to come between you and your doctor in determining the best treatment options for you!"

After readers asked us to look into Carter's claim about the board's intrusive powers, we emailed Carter's office for backup information -- and didn't hear back.

The board mentioned in the [2010 law](#) has been singled out before, having figured into several Truth-O-Meter articles including a July 2012 [False](#) rating of Mitt Romney's claim that the law "puts the federal government between you and your doctor." Romney offered no evidence for his claim; PolitiFact concluded that the law leaves intact the private sector delivery of health care.

The board mentioned by Carter, the [Independent Payment Advisory Board](#), is to focus on reducing the rate of growth in per-capita Medicare spending, but it is prohibited under the law from suggesting anything that leads to rationing or reductions in either benefits or eligibility. Generally, in contrast, the board might recommend that every discharged hospital patient get guidance on wound care or that they drink plenty of cold water. They might find that surgery to install certain medical devices -- like hip replacements -- should not be done on Medicare beneficiaries over the age of 105. The goal is cost-savings, not micro-managing patient care.

Also, Congress has the power to overrule the panel's recommendations.

In February 2012, U.S. Rep. Marsha Blackburn, R-Tenn., said in a press release: "Instead of giving patients control of their health care decisions, the president and his allies in Congress chose to delegate this power to a commission of 15 unelected bureaucrats in Washington."

That's [False](#), PolitiFact Tennessee said, because the board would not control decisions made at the individual patient level.

With Carter's wording in mind, we read the relevant portion of [the law](#).

Section 3403 indeed states that the board is to include 15 members appointed by the president. Each appointee also would face Senate confirmation.

As far as we can tell, the law does not give the board the power, or permission, to regulate any individual's treatment options.

For an August 2011 [Truth-O-Meter article](#), PolitiFact Georgia asked four health experts about a congressman's claim that "a bunch of bureaucrats" would "decide whether you get care." All four said that's incorrect.

A scholar at the Cato Institute, a libertarian think tank usually at odds with Democratic positions, said the assertion that the board would be controlling patients' health-care decisions is "not even close to correct." Cato scholar Michael Tanne said the board "has nothing to do with individual care at all. It's not making decisions on individuals."

Our ruling

Carter's claim has no factual foundation. We rate it False.