

# Policy Leadership

## Render Reflects on Accomplishments

By Tom Schuman

**T**he recipient of the first John C. Render Award for Health Policy given by the Indiana Hospital Association in late 2011 was, most appropriately, John C. Render.

Render started working with attorney William S. Hall in 1971 to help with the increasing levels of regulation and advocacy for the health care industry. Render stepped down as chairman of the board at Hall Render, the nation's largest health care focused law firm, at the end of last year but will continue to practice law.

At the time of the award presentation, Ken Stella, president emeritus of the Indiana Hospital Association, said, "There has not been a piece of health care legislation passed in the state of Indiana that has not had the touch of John Render. He is tremendously respected by the state Legislature and by the regulators, and they continue to seek his advice as new health care legislation is drafted."

He reflects on his career in this *BizVoice*® interview:

**BizVoice**®: How did you get started in the area of health care policy and what did you enjoy about the work?

**John Render:** "I was going to law school and was also a high school English and history teacher. In the midst of my law school career and looking for a summer job, a friend called me – he had taken a job a year or two earlier at the Indiana Hospital Association – and asked if I would be interested in a summer job. When I got over there, I really enjoyed the hospital people and the areas they were discussing. The thing that probably touched me the most was they greatly reminded me of teachers in terms of their service orientation.

"I worked that summer and they asked me to stay on. That summer also, I met their general counsel, William Hall, who had just in the last year or two moved out there and had established a private practice in addition to being general counsel. They talked to me about staying, finishing law school, going into practice with Mr. Hall and being assistant general counsel. To tell you the truth, I thought about that for five minutes – or less – and thought it would be both a good opportunity and very interesting. As it turns out, it was. I've been doing it for 40-plus years."

**BV:** What are some of the difficulties in health care policy and law?

**JR:** "It's never changed since I started, balancing the cost of providing care against access, and not doing things from a policy standpoint that discourage people from getting care. But on the other side, it's trying to somehow contain costs. It's been going on, for me, for 40-some years and it's been going on long before that.

"Part of the reason is the American system of health care, in particular, is very much a self-generated utilization system. All of us, particularly those with health insurance or with some means, access the health care system at a variety of points and very often at inappropriate or expensive points. In a variety of ways, overutilization is a big problem, but by the same token who is to judge what is overutilization and what is appropriate. ... The challenge between providing realistic access and containing costs is never ending."

**BV:** Can you share some interesting or difficult policy situations over the years?

**JR:** "In the mid-70s, we helped draft and get passed, along with the state medical association, what's



John Render, who says he simply always "tried to do the right thing," accepts the first John C. Render Award for Health Policy from Indiana Hospital Association President Doug Leonard.

called a peer review bill. It basically provides protection for physicians, nurses, others who do peer reviews – review one another's performance. The idea is that unless you provide that kind of statutory immunity from litigation, people won't engage in a vigorous or robust quality evaluation on one another. The offset, however, when you have that kind of confidentiality is that in certain respects it limits the public's ability to find out who are the 'bad docs.' The trade-off between confidentiality and trying to get people to improve their quality is a tough kind of policy thing."

The most difficult situation, Render reveals, was a 1993 move by Gov. Evan Bayh and his advisors to propose a tax on hospitals when the state was facing a significant budget shortfall.

"They came out very boldly, were up front about it. We were very much opposed, going against the governor. There were press conferences all around the state, forums. I had to, on behalf of the Indiana Hospital Association, take the lead in terms of convincing the Legislature this was not a good idea. Ultimately, that was what happened and it did not pass. It was probably the most difficult year I had in terms of opposing a policy that we thought then, and still think, is disastrous because basically you're taxing sick people, people who actually use the system."

**BV:** Discuss the honor of having this award named after you and being the initial recipient.

**JR:** "It was both a huge surprise as well as a tremendous honor. It's humbling to have something with your name on it. I've been one of those fortunate people in life. I think I would have enjoyed being a lawyer in some other aspect of law, but I'm sure I've enjoyed it much more because I've been able to combine law and health care. I've been one of those lucky people that have spent 40-plus years going to work in the morning and it's never been a bit of work.

"The thing I enjoyed the most about it is you felt, as one person or a group of people, you could have an effect on something important to Indiana, some effect on the laws that passed or those that didn't pass. When you have a state like Indiana that has a citizen Legislature, the Legislature values input from reliable individuals and reliable organizations that know about a special area of importance – and health care is always going to be a high agenda priority for any governor and Legislature.

"It's been a pleasure. I have two daughters – one a law professor, one a nurse. I told them early on: 'If you can be fortunate enough to find something you really enjoy and you can make a living out of it, you're a long way toward a happy life.' "

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