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## U.S. Videos, for TV News, Come Under Scrutiny

By ROBERT PEAR

**W**ASHINGTON, March 14 — Federal investigators are scrutinizing television segments in which the Bush administration paid people to pose as journalists praising the benefits of the new Medicare law, which would be offered to help elderly Americans with the costs of their prescription medicines.

The videos are intended for use in local television news programs. Several include pictures of [President Bush](#) receiving a standing ovation from a crowd cheering as he signed the Medicare law on Dec. 8.

The materials were produced by the Department of Health and Human Services, which called them video news releases, but the source is not identified. Two videos end with the voice of a woman who says, "In Washington, I'm Karen Ryan reporting."

But the production company, Home Front Communications, said it had hired her to read a script prepared by the government.

Another video, intended for Hispanic audiences, shows a Bush administration official being interviewed in Spanish by a man who identifies himself as a reporter named Alberto Garcia.

Another segment shows a pharmacist talking to an elderly customer. The pharmacist says the new law "helps you better afford your medications," and the customer says, "It sounds like a good idea." Indeed, the pharmacist says, "A very good idea."

The government also prepared scripts that can be used by news anchors introducing what the administration describes as a made-for-television "story package."

In one script, the administration suggests that anchors use this language: "In December, President Bush signed into law the first-ever prescription drug benefit for people with Medicare. Since then, there have been a lot of questions about how the law will help older Americans and people with disabilities. Reporter Karen Ryan helps sort through the details."

The "reporter" then explains the benefits of the new law.

Lawyers from the General Accounting Office, an investigative arm of Congress, discovered the materials last month when they were looking into the use of federal money to pay for certain fliers and advertisements that publicize the Medicare law.

In a report to Congress last week, the lawyers said those fliers and advertisements were legal, despite "notable omissions and other weaknesses." Administration officials said the television news segments were also a legal, effective way to educate beneficiaries.

Gary L. Kepplinger, deputy general counsel of the accounting office, said, "We are actively considering some follow-up work related to the materials we received from the Department of Health and Human Services."

One question is whether the government might mislead viewers by concealing the source of the Medicare videos, which have been broadcast by stations in Oklahoma, Louisiana and other states.

Federal law prohibits the use of federal money for "publicity or propaganda purposes" not authorized by Congress. In the past, the General Accounting Office has found that federal agencies violated this restriction when they disseminated editorials and newspaper articles written by the government or its contractors without identifying the source.

Kevin W. Keane, a spokesman for the Department of Health and Human Services, said there was nothing nefarious about the television materials, which he said had been distributed to stations nationwide. Under federal law, he said, the government is required to inform beneficiaries about changes in Medicare.

"The use of video news releases is a common, routine practice in government and the private sector," Mr. Keane said. "Anyone who has questions about this practice needs to do some research on modern public information tools."

But Democrats disagreed. "These materials are even more disturbing than the Medicare flier and advertisements," said Senator Frank R. Lautenberg, Democrat of New Jersey. "The distribution of these videos is a covert attempt to manipulate the press."

Mr. Lautenberg, Senator Edward M. Kennedy, Democrat of Massachusetts, and seven other members of Congress requested the original review by the accounting office.

In the videos and advertisements, the government urges beneficiaries to call a toll-free telephone number, 1-800-MEDICARE. People who call that number can obtain recorded information about prescription drug benefits if they recite the words "Medicare improvement."

Documents from the Medicare agency show why the administration is eager to advertise the benefits of the new law, on radio and television, in newspapers and on the Internet.

"Our consumer research has shown that beneficiaries are confused about the Medicare Modernization Act and uncertain about what it means for them," says one document from the Centers for Medicare and Medicaid Services.

Other documents suggest the scope of the publicity campaign: \$12.6 million for advertising this winter, \$18.5 million to publicize drug discount cards this spring, about \$18.5 million this summer, \$30 million for a year of beneficiary education starting this fall and \$44 million starting in the fall of 2005.

"Video news releases" have been used for more than a decade. Pharmaceutical companies have done particularly well with them, producing news-style health features about the afflictions their drugs are meant to cure.

The videos became more prominent in the late 1980's, as more and more television stations cut news-gathering budgets and were glad to have packaged news bits to call their own, even if they were prepared by corporations seeking to sell products.

As such, the videos have drawn criticism from some news media ethicists, who consider them to be at odds with journalism's mission to verify independently the claims of corporations and governments.

Government agencies have also produced such videos for years, often on subjects like teenage smoking and the dangers of using steroids. But the Medicare materials wander into more controversial territory.

Bill Kovach, chairman of the Committee of Concerned Journalists, expressed disbelief that any television stations would present the Medicare videos as real news segments, considering the current debate about the merits of the new law.

"Those to me are just the next thing to fraud," Mr. Kovach said. "It's running a paid advertisement in the heart of a news program."

*Jim Rutenberg contributed reporting for this article.*