

'Crusader' Is Mild Term for Consumer Advocate Herbert Denenberg

by J.R. Freeman

If Herb Denenberg does nothing else when he meets members of the press, he permits his sincerity to come through.

Huddled in a room with 14 members of the Pennsylvania News Media Association Thursday night near Pocono Downs, Dr. Herbert Sidney Denenberg, Pennsylvania's insurance commissioner, left no doubt that he is the state's number one consumer advocate. Also unmistakably clear to his listeners was the fact that this man firmly believes what he says.

Most public officials who face the press often switch their remarks from "on the record" to "off the record" so fast that a newsman can get confused. Not so with Dr. Denenberg. He lays down the ground rules in the beginning: "I'm not used to talking off the record," he says with a firm expression. "So any remarks I make here tonight will be on the record." And the controversial and sometimes flamboyant insurance commissioner and consumer advocate par excellence, said plainly.

Young looking for his 43 years, Dr. Denenberg is brilliant, aggressive, unafraid, incredibly frank, cocky, slightly profane and cooperative. He is destined to be long remembered, though it's not certain what he will be remembered for. But during his three-year tenure in a state office usually handled so as to placate the whims of the insurance giants, Dr. Denenberg is well on the way to making insurance a breakfast table topic just because he is more concerned about the consumer than he is about the corporate feildoms.

His concern for consumers, however, does not stop with insurance.

Asked if big oil, for example, was guilty of creating the energy crisis in order to reap corporate benefits, Dr. Denenberg was adamant: "I'm not bashful," he said. "I think the major oil companies are guilty of perpetrating a hoax on the consumer, just like you and everyone else believes."

Asked what concessions he thought big oil was after in addition to the Alaska pipeline, drilling off the East Coast, tax incentives, price hikes, a triple increase in coal prices, oil shale, and a change in U.S. foreign policy, the insurance commissioner told his listeners: "I don't know what all they want. I know we've already given them the Federal Government, but I guess they're still not satisfied. They operate as a very powerful unregulated monopoly, and I think they should be regulated just like we regulate the insurance industry in Pennsylvania."

Last year Dr. Denenberg, acting through the Pennsylvania Department of Justice, filed a \$2 billion damage suit against the Federal Government dealing with the 1972 Hurricane Agnes disaster.

Though no trial date has been set, the legal action is moving forward through preliminary stages. The commissioner, a lawyer himself, said that he was pleased with the suit thus far. "I think we stand a very good chance of winning," he said. "But such a suit will obviously take a long time. It will be years before it is finally settled one way or the other."

"The real problem is," Dr. Denenberg continued, "that if Hurricane Agnes hit again tomorrow, we would be in the same boat as before. The Federal Government refuses to enact needed reforms. I like this analogy: The Federal Government is like a senile dinosaur. You kick it in the ass trying to get your message across. Two years later the message reaches the brain, and then you get a reply back that it has received your message."

"But that doesn't mean the government is going to take any action," the commissioner continued. "The Federal Government is not only corrupt, it is incapable of action. There is no leadership in Washington, either in the executive, the agencies, or in the Congress. So when you get word back that it has received your message, that doesn't mean a damn thing."

Perhaps no issue stirs the wrath of Dr. Denenberg quite as much as does the nuclear power industry. "Those corporate bastards," he stormed, "are not willing to put their ASSETS on the line in protecting the public from the unsafety of a nuclear accident."

As explained in the commissioner's "Consumer's Guide to Nuclear Non-Insurance," the U.S. Atomic Energy Commission has released studies that indicate a major nuclear accident at a utility-owned electric generating station could cause from \$7 billion to \$280 billion in losses. But Dr. Denenberg quickly points out that under a federal law known as the Price-Anderson Act, total compensation for all victims of a nuclear accident is limited to \$560 million, most of which would be paid by the taxpayers.

"A utility that builds a nuclear power plant may only buy \$95 million worth of insurance. If the thing blows up, the government would kick in an additional \$465 million. And that's it. No one else would be compensated. The law says the utility is adequately covered."

"The manufacturer of the nuclear reactor gets off scot-free," Dr. Denenberg points out, "because he's covered under the Price-Anderson Act, too. Therefore you can't sue the utility, you can't sue the manufacturer, and of course, you can't sue the government."

Loopholes in the insurance arrangement in case of nuclear accident irks Dr. Denenberg, because homeowner's coverage excludes such damage, just as do automobile policies, health insurance policies, life insurance coverage.



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"Remember," Dr. Denenberg laments, "We're talking about millions of lives and billions of dollars in property damage. It may be that nobody but God could write the insurance policy we need on nuclear power plants. Unless the nuclear establishment can prove infinite perfection, the only adequate insurance against catastrophic loss from nuclear accidents is to stop building more nuclear power plants and to begin closing down the ones we have now. It's that simple."

"And besides," he adds, "it's been proven that they are not the answer."

During his interview with local members of newspaper, radio and television news, Dr. Denenberg said that he was happy to announce that he had just refused to grant Blue Cross a requested rate increase in Pennsylvania, which he estimated would save consumers approximately \$50 million annually. "And while we have managed to hold down the cost of health insurance to the consumer, we have also helped improve health care," he said. "But we have a long way to go. Open heart surgery," he continued, "is six times more risky than it need be. We must do away with the unneeded surgery that takes place today."

In one of his 18 "shopper's guides" to date, Dr. Denenberg points out that many studies document a national scandal surrounding unnecessary surgery.

Writing in his "Shopper's Guide to Surgery," which has now been reprinted and distributed by Blue Cross of Greater

Philadelphia, Dr. Denenberg says that a study conducted by the Columbia University School of Public Health and Administrative Medicine, points out that it found, for example, "of 60 hysterectomies, one third of the patients were operated on unnecessarily and that question could be raised on the advisability of the operation in another 10 percent." Of 13 caesarian sections, "Dr. Denenberg continues, "There were serious questions about the necessity of surgery in seven cases."

Quoting Dr. Charles E. Lewis, a Harvard specialist in community health, who concluded a 1969 study of the incidence of surgery, Dr. Denenberg makes this comment: "The results presented might be interpreted as supporting a medical variation of Parkinson's law: patient admissions for surgery expand to fill beds, operating suites and surgeon's time."

Dr. Denenberg designed virtually every piece of no-fault automobile insurance legislation that has become law in the U.S. and its territories. And it was during his fight to get a no-fault bill through the Pennsylvania General Assembly two years ago that he gained national prominence. Though his obvious design was to see that a consumer-oriented bill become law in the Commonwealth, the controversial commissioner failed to see his bill enacted, despite Gov. Shapp's support. Several other states, however, have adopted his guidelines and have now begun to operate under a no-fault law. But Dr. Denenberg, a well-known critic of the trial lawyers associa-

tion which has lobbied against any no-fault bill that would suit Dr. Denenberg, now sees little hope for a "good no-fault" bill to pass the Pennsylvania General Assembly. "I don't think the Pennsylvania Legislature will pass a good no-fault bill this year, or even next. I think what we have to do is wait on the Federal Government. It's up to the U.S. Congress and it will take them another two years to act. They know they should pass a no-fault bill to take care of the consumer nationwide. But because of lack of leadership, it will take them about two years to get around to passing a decent bill."

Last year during his fight with the Pennsylvania Trial Lawyers Association to get a no-fault law on the books in the Commonwealth, Dr. Denenberg was so under fire from his critics, which now include doctors, lawyers, dentists, insurers, hospitals, utilities, and auto manufacturers, that he prepared a form letter requesting his dismissal or resignation to be sent to Gov. Shapp. His office gave copies to anyone who asked.

"I've only been successful in some of my programs," Dr. Denenberg confides, "because Gov. Shapp has supported me and because I had access to the media. Without those two things, there is nothing I could have done to help the consumer."

Despite his comments, Dr. Denenberg has found other ways to help segments of the consuming public. His latest book, for example, "Cover Yourself: The Guide to Buying Insurance" has contributed toward several meals-on-wheels programs.

"Our senior citizens are a virtually ignored minority," Dr. Denenberg contends. "For the most part they have been ignored by government, pensioned off by industry and forgotten by the rest of the population."

In contributing all of the proceeds from his book to meals-on-wheels programs, the commissioner said "The meals-on-wheels program is one way to give senior citizens the help that they need and deserve. This help is long over-due. I just hope that my small contribution will both help senior citizens and will alert others to this very serious problem."

And while Dr. Denenberg has not issued a "shopper's guide to newspapers, radio or television stations yet," he found words of criticism for the media, nonetheless.

Charging flatly that many important events in Harrisburg go completely unreported, Dr. Denenberg said he was surprised that not a single newspaper, radio or television station in Northeastern Pennsylvania maintained any staff either in Harrisburg or Washington.

"I'm surprised that these local organizations depend solely on wire service reports of state and national government," he said, indicating that here was just another way in which the consumer was getting short-changed.

"Government works best for the people when it is being criticized by the press," the commissioner said in closing remarks. "And I don't think the press is adequately covering either state or national government."

Back Mountain Mat Squads Upset Hawkeyes

Lake-Lehman will Host Jr. High Mat Tourney

The fifth annual District 2 Junior High Wrestling Tournament will be held Feb. 22 and 23 at Lake-Lehman High School.

The preliminaries will begin Feb. 22 at 6:30, the semi-finals, Feb. 23, at 10 a.m., and the finals at 2:30 that afternoon.

John Zaleskas is tournament director, assisted by Walter Sorber of Lehman.

Boys will be competing in 18 weight classes.

Teams competing and their coaches are Abington Heights, Dick Cook; Crestwood, Joe Maman; Dallas, George Dombek, G.A.R., Pat McAndrew; Hanover, Joe Altavilla; Meyers, Fred McDaniels; Lake-Lehman, Ed Ladamus; Plains, Bill Hilbert; Wilkes-Barre Twp., Willard Bennett; Wyoming Area, Mike Podwika; and Wyoming Valley West, Shannon Allen.

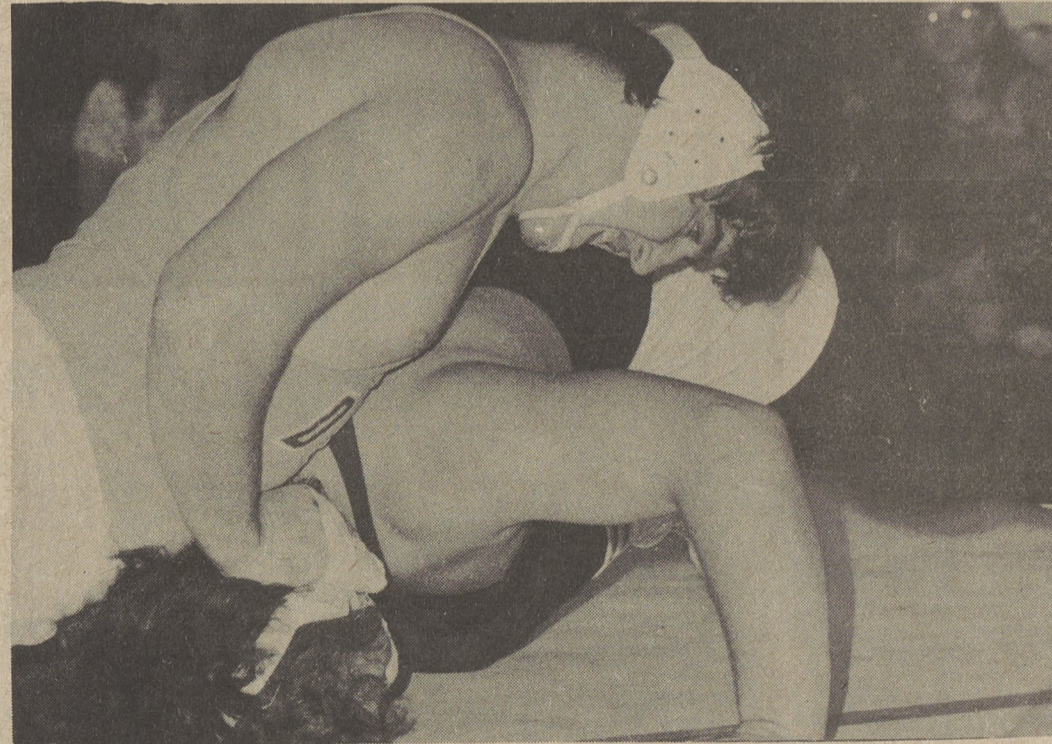
The Hanover Area Junior High team will be trying for their fourth title. Lake-Lehman and Meyers rank with them as favorites.

Returning champs are Frank Castrigano, (Meyers) 80 lb., now wrestling at 90; Jack Zaleskas, (LL) 90 lbs., now 115; Don Kraynak, (Hanover) 130 lbs., now 145; and Leo McGlynn, (Hanover) 145, now 154.

Doors will open at 6 p.m. Feb. 22, and 9 a.m. and 1:30 p.m. Feb. 23.

An "Outstanding Wrestler" trophy will be awarded and champs and runners-up will receive Olympic style medals.

A concession run by Lake-Lehman mothers will be open both days, with proceeds to be used to defray expenses for the wrestling banquet.



Art Gramps clinched the Mountaineers' victory over Hanover when he decisively Pissarcik 8-3, ending the contest with a final score of 20-19.

Mountaineers Upset Hanover In Crowded Gym at Dallas

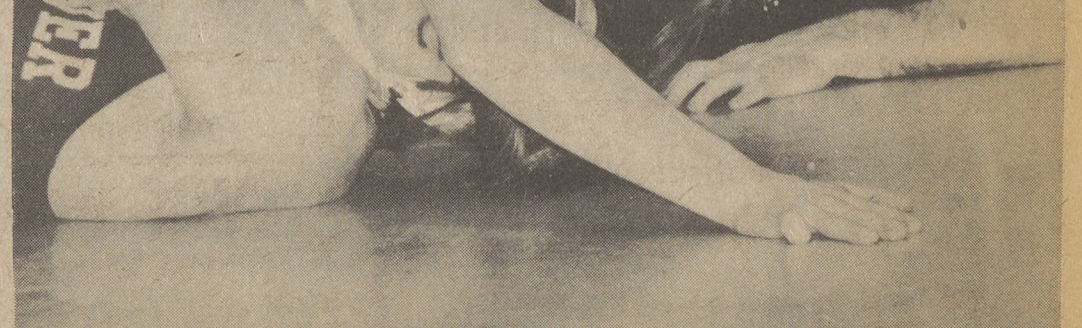
Coach Larry Schuler's Dallas grapplers threw the Wyoming Valley Wrestling League into a three-way tie last Wednesday night by defeating a much-touted Hanover team 20-19 before a standing room only crowd at the Back Mountain school.

The Hawkeyes then fell, 36-30 to the Lake-Lehman team the following Saturday night, and dropped out of first place tie with Dallas and Meyers. The Mounts and Meyers are now tied in first.

S. Pinter, down to 95 lbs., put Dallas on the scoreboard with 3 points by decisively Schmol 7-0. D. Konnick, (D) 105, remained undefeated by wrestling to a 6-6 draw with Kolbicka.

M. Cook, 112 (D), outscored D. Demorat 6-5 to give the Mountaineers an 8-2 lead. B. Evans, 119 lb. (H), gained a superior decision of 14-4 over R. Bridle to move the Hawkeyes to 6 on the board.

J. Kasper, 126 (D), wrestled one of the finest bouts of the night to overcome J. Messimer 4-1 and put the Dallas boys ahead 11-6. Sophomore F. Hazeltine, (D) 132 lb., surprised the fans by wrestling a close bout with Hanover's Len Kaminski, undefeated for the season. Frank scored 2 on a takedown in the first period, and after an escape by the Hanover wrestler, went into the second period leading 2-1. A penalty point for an illegal hold tied the bout at 2-2 where it remained until the closing seconds of the third period when Kaminski reversed Hazeltine for two points for a final bout score of 4-2.



Ed Nixon, Lake-Lehman's 112 lb. grappler, pins Bob Narcum to the mat in 2:57 to put the Knights in front of the Hawkeyes, 15-0.

Dallas Grapplers Post Win over AH Comets

The Dallas Mountaineers won their exhibition bout with Abington Heights Saturday night, 26-11.

Sophomore D. Dierolf, 95 lb. (D), lost a close 6-4 decision to senior champion B. Heller (A). S. Pinter, 105, tied the score at 3-all by outscoring Wunder (A), 7-0.

D. Konnick, 112 (D), made it 6-3 by taking a 2-0 decision from Rozelle and M. Cook, 119 (D), added three more by outscoring Neuffer 8-0.

J. Kasper, 126 (D), moved the Mountaineers ahead 12-3 by outwrestling Spangenburg, 10-5. F. Hazeltine, 132 (D), made it 15-3 by decisively Evans 4-0.

D. Kirshner, 138 (D), dropped a hard-fought 4-2 bout to Bistransin, to move the Comets to six. D. Puchalsky, 145 (D), remain-

Lake-Lehman Grapplers Dethrone Hawkeye Squad

Two defaults played a major role in a 36-30 upset by Lake-Lehman matmen over Hanover last Saturday night, to drop the Hawkeyes out of a tie for first place, with the Mountaineers and the Meyers Mohawks.

The Knights jumped into an early lead when S. Klemunes, 98, decisively T. Pape 6-0. D. Barbacci, 105 (L) turned over G. Kolbicka in 3:59 for his 13th win of the season and to put the Knights in front 9-0.

E. Nixon, 112 lb. (L), remained undefeated by flattening B. Narcum in 2:57 and D. Agnew, 119 lb. (L), outscored B. Evans 10-6, and the Knights were ahead 18-0.

H. Jones, 126 (L), continued to win for the Knights by pinning R. Temerantz in 1:32. With his team behind 24-0, L. Kaminski, 132 (H), pinned J. Haczewski in 5:59, and P. LaCorte made it 24-12 by turning over W. Traver in 1:39.

The Hanover jayvees posted a final 12-9 team score when E. Weber, 167, was pinned in 5:34 by Sesty.

L-L Jayvees Lose

The Lake-Lehman jayvees lost to the Hanover Hawkeyes by a 12-9 score in a preliminary mat match, held prior to the varsity meet last Saturday night.

ed undefeated by taking a 10-3 decision from the Abington's favored athlete, Kutyna.

With the Mountaineers in front 18-6, T. Kirshner, 155 (D), led throughout his bout until the last 19 seconds when his opponent Huggler reversed him and pulled a near fall to pull off a 4-4 draw and move the score to 20-8.

R. Thrasher, 167 (D), outscored Pawelsky 4-0. S. Shook was decisively by 185 lb. Suprick (A) to move the score to 23-11.

A. Gramps, Dallas heavyweight, clinched the final bout with a 3-2 score over Suggs to post the final team score of 26-11.

The Mountaineers meet West Side Tech away Wednesday night, and the Lake-Lehman Knights away Saturday.