

Analysis of Response to the “Death Panels” Claim In the Debate on Health Care Reform That Led to the Passage of the Patient Protection Affordable Care Act

by

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On March 5, 2009, President Barack Obama convened a meeting the White House with Congressional, industry, and union experts to discuss health care reform (Dunham, 2010). As the issue was debated, within six months the misinformation spread by the opponents of health care reform was so widespread that an article was published that listed the "five biggest lies" in the health care debate (Begley, 2009). The debate that took place over health care reached a milestone when President Obama signed the Patient Protection Affordable Care Act (ACA) into law on March 23, 2010.

The "death panel" allegation is a specific example of misinformation spread during the debate that led to the passage of the ACA. The false claim was made that “Death panels” would require people in the Medicare program to undergo a counseling session every five-years that "will tell them how to end their life sooner" and "how to decline nutrition" (Begley, 2009). This allegation stems from a provision that would have Medicare pay for consulting with your physician about end-of-life care for feeding tubes, ventilators, and other techniques to maintain life. Clearly, there is a difference between requiring a discussion with doctors how to handle end-of-life care when medically necessary and being mandated to discuss

every five years whether you should end your life sooner. It was this twisting of meaning that led to misinformation.

Misinformation is “information that is incorrect” (“WordNet A Lexical database for English,” 2006). Absolute standards of truth are hard to come by in political debate, so it can be quite difficult to strictly prove a statement false. For this reason, the definition of misinformation needs to be expanded to include “demonstrably false claims and unsubstantiated beliefs that are contradicted by the best available evidence and expert opinion” (Nyhan, 2010, p. 1). The false death panel allegation illustrates another problem with misinformation, it shifts the focus from the real issue—in this case whether health care reform is needed—to a side issue that prevents debate of the real issue.

Promoting quality debate is made harder when there are people who are willing to promulgate misperceptions to promote an agenda or cause. From 1993 to 1994, then President Clinton proposed a health care plan that ultimately failed to pass Congress. This failure was due to detractors, such as Betsy McCaughey, who stated that the Clinton plan would not allow Americans to keep their doctor. Betsy McCaughey is a fellow at the Manhattan Institute, a conservative think tank that argues against welfare programs and “whose mission is to develop and disseminate new ideas that foster greater economic choice and individual responsibility” (“Manhattan Institute,” 2012). This misinterpretation was echoed by other conservatives and played a part in the defeat of the Clinton plan (Nyhan, 2010, p. 6). Nyhan also documents how McCaughey started the “death panel” misinformation about Obama's health care reform plan. While interviewed on a radio show on July

16, 2009, McCaughey made the false claim that the health care plan would direct seniors to attend counseling sessions on how to "end their life sooner." In a Facebook posting on Aug. 7, 2009, former Alaska governor and Republican vice-presidential candidate Sarah Palin coined the phrase "death panel" to describe these sessions (pp. 10-12), and the term "death panel" was born.

"Death panels" became a powerful motivator for the opponents of health care reform. Nyhan says that a "great deal of misinformation was spread about Obama's proposal" and that "opponents of reform became inflamed by the claim" (2010, p. 10). Further, the phrase "death panels" nearly halted health care reform (p. 11).

This study is concerned with how journalists respond to misinformation, specifically, the allegations of "death panels" that occurred during the 2009 - 2010 debate on health care. In exploring how journalist addressed "death panels," there are several issues that need to be examined, including how to respond to misinformation. Misinformation or misperceptions are defined as:

... [C]onfining misperceptions to statements that can be strictly proven to be false is quite limiting. Instead, ... political misperceptions ... include both demonstrably false claims and unsubstantiated beliefs about the world that are contradicted by the best available evidence and expert opinion (Nyhan, 2010, p. 1).

The "death panels" allegation was a false claim that Medicare would require people to have a counseling session every five years on "how to end their live sooner" and

“how to decline nutrition” (Begley, 2009). In looking at how reporters responded to the “death panel” allegations, the watchdog role of journalists is relevant.

Inherent in the research question is whether journalists are willing to engage in a watchdog role, and should they engage in such a role. If journalists are willing, then, as a corollary, they have to be willing to question what public officials say. If reporters are not willing to become watchdogs, then officials can get away with saying almost anything without being challenged.

Public relations has played a growing role in influencing the news and the reporting practices of journalists in recent years (Cameron, Sallot, & Curtin, 1997; Sallot & Johnson, 2006; Turk & Franklin, 1987). Because of this growing role, the effect of public relations on the news will be examined. As with public officials, if journalists are not willing to embrace the watchdog role, then public relations specialists who are unethical could get away with saying almost anything without being challenged.

Public relations is “the management of communication that establishes and maintains mutually-beneficial relationships between an organization and its publics” (Wilcox & Cameron, 2008). For purposes of this study, the definition has been modified as follows: Public relations is the management of communication that establishes and maintains relationships between an individual or organization, and its publics. An individual is any person with a public presence, and includes, but is not limited to politicians, celebrities, and appointed officials. An organization is any type of organization, which can include, but is not limited to corporations and non-profits. A public is any group of people that has a stake in the actions or decisions

made by an individual or organization. For politicians, public would, include voters, contributors, and the people who live in their district or geographical area they represent. Stakeholders for an organization depend on the type of organization, and can include, bondholders, stockholders, consumers, contributors, and the general public.

Agenda Setting

Agenda-setting theory started with the 1972 study by Maxwell McCombs and Donald Shaw. In this study, McCombs and Shaw found that the issues most important to undecided voters in Chapel Hill, N.C., highly correlated with the content of local newspapers, *The New York Times*, *Newsweek*, *Time*, NBC and CBS evening news broadcasts (McCombs & Shaw, 1972, p. 178). They concluded that, “The media appear to have exerted a considerable impact on voters’ judgments of what they considered the major issues of the campaign” (McCombs & Shaw, 1972, p. 180). In other words, “the mass media set the agenda for each political campaign” and influenced the “salience of attitudes” towards political issues (McCombs & Shaw, 1972, p. 177).

The McCombs and Shaw study established the main postulate of agenda-setting theory: that the mass media, through their selection of the news, influence the public’s perceptions of the importance and salience of issues. Cohen phrased it this way, “It [the press] may not be successful in telling readers what to think, but it is stunningly successful in telling readers what to think *about*” (Cohen & University of California, 1963, p. 13). What people think about can affect their views on issues.

If people think that “death panels” are required in the ACA, then their views about the ACA could be different than if “death panels” do not exist, so the misinformation could affect one’s position on the ACA.

Other studies supported McCombs and Shaw’s initial results. A study of the 1960s found media attention “strongly influences” the public agenda (Funkhouser, 1973, p. 74). In a study by Palmgreen and Clark (1977), they analyzed the content for three national network newscasts, local television news coverage, and the *Blade* newspaper in Toledo, Ohio. Palmgreen and Clark found the media agenda-setting effect stronger at the national level than at the local level. Salwen (1988) studied how long it took issues to have the most impact on the public agenda. Significant agenda-setting effects appeared after five to seven weeks, and the peak impact occurred after eight to 10 weeks of coverage.

A study of the 1990 German national election found that in some instances, “simple exposure to news was more strongly related to issue salience than interest in news coverage” (Schoenbach & Semetko, 1992, p. 846), so repetition alone can affect salience.

To borrow Cohen’s phrase again, the “what to think about” is considered an object (or attribute object), something that a person has an opinion or attitude about (McCombs & Shaw, 1972). Some examples of objects used by McCombs and Shaw include foreign policy, fiscal policy, and public welfare (p. 179). Health care reform would also be an example of an object. The ability to transfer object media salience to salience in the public agenda is an example of a first-level effect in agenda-setting theory.

While first-level agenda-setting deals with what to think about, the second level of agenda setting deals with how to think about an issue, or what attributes of that object are important (McCombs, 2005). Attributes describe “the variety of characteristics and traits” of objects (p. 546). So health care reform is an object and a “death panel” is an attribute of health care reform, albeit, as previously documented, an inaccurate one.

Cognitive attributes involve information about the object. For a person, these include information about issues, such as the person’s stance on gun control, or information about personal characteristics, such as this person gets things done (G. Golan & Wanta, 2001, p. 249). Affective attributes involve opinions about the object. Expressing a candidate’s stance on an issue in a positive light illustrates an affective attribute (p. 249). Schoenbach and Semetko found that “positive and optimistic coverage” reduced the salience of an issue (1992, p. 246).

In a study of 1995 regional and municipal elections in Spain, researchers found “significant correspondence” between the attributes specified in the news media and political advertisements, and attributes specified in the voters’ minds (McCombs, Llamas, Lopez-Escobar, & Rey, 1997, p. 715). A study of the 2000 New Hampshire Republican primary that reviewed second-level effects for candidates George W. Bush and John McCain found that second-level effects were stronger at the cognitive level than at the affective level (G. Golan & Wanta, 2001, p. 255). Interestingly, the McCombs et al. study found a stronger effect for affective attributes. So, one study found that the affective attributes, or opinions about the objects (candidates) were more important while the other study found that

information about the objects (candidates) had more significance. The difference in effects for the cognitive level and affective level is not necessarily significant. It could just mean that for different elections, voters place importance on different issues depending on the election and the candidates. If candidates have similar views, then affective attributes could be more important. If the candidates are perceived to have different views on policy, then the cognitive issues could acquire more significance. These issues and how much does the media affects these issues requires more research.

Agenda-setting has also incorporated frames (McCombs, 2005, p. 546). Frames define a central theme or dominant perspective that define an issue. When certain attributes “resonate with the public in such a way that they become especially compelling arguments for the salience of the issue, person, or topic under consideration,” they become a central theme or frame (McCombs, 2005, p. 547). While all frames are attributes, not all attributes are frames. The difference is that a frame will almost become a theme in itself. During the buildup to the Iraq War that started in March 2003, two common misconceptions that persisted were that Iraq had weapons of mass destruction, and that Iraq gave “substantial support” to al Qaeda or was “directly involved” in the 9/11 attacks (Arsenault & Castells, 2006, p. 285). These two attributes were so important that the salience of both became almost as important as the issue of going to war with Iraq, thus these two issues became frames for the issue of going to war with Iraq.

Research on agenda-building illustrates that journalists roles and norms as well as their perceptions of sources affect what gets in the news. A study of local

media by Weaver and Elliot found that news sources can have a major influence on the media agenda, and the journalists' day-to-day judgments also "play a significant part in shaping the agenda" (David Weaver & Elliott, 1985, p. 94). Another study supported this result when it found that the State of the Union addresses by Nixon and Reagan (during his first term) altered media coverage (Wanta, Stephenson, Turk, & McCombs, 1989). However, during Reagan's second term and the Carter presidency, the State of the Union addresses were influenced by previous media coverage.

According to Kenamer:

The news agenda is not really "set," but instead "built." In general, most of the building materials are provided by news sources, especially policymakers.

From there the assessment becomes less clear. Few policymakers can expect to regularly shape the news agenda, because so much of the process is dynamic and depends on factors beyond their control (Kenamer, 1992, pp. 101-102).

As the debate over health care reform continued, the opponents maintained their attempts to influence the agenda by spreading "lies and exaggerations" (Begley, 2009). Some of the lies cited by Begley include that there will be no choice in the health benefits you receive, there will be no chemo for Medicare patients, and "death panels will decide who lives." Of these lies, the "death panels" phrase became a powerful attribute that also framed at least part of the health care debate and, as previously mentioned, nearly stopped health care reform.

Given the history of misinformation that has taken place in the health care debate and the buildup to the Iraq war, it is important to review and discuss the best way to report the most accurate and reliable information by responding to and correcting misinformation. Aresenault and Castells make the following point about the deceptions that led to the Iraq war:

Media both convey and filter the messages of the agenda-setting political agency, while keeping in mind the mood of the audience. The more these media channels conveyed rather than filtered information released by the administration, the more misinformation was channeled to the audience, thereby increasing the extent of the misperceptions held by audience members (Arsenault & Castells, 2006, pp. 301-302).

So, if the media reports the information without verification, the false information continues to be propagated.

A Journalist Role: The Watchdog

The effects of misinformation can affect debates. Misinformation will continue to propagate unless journalists are willing to challenge the misinformation. A survey of reporters and editors of urban community newspapers found that “keeping an eye on local public officials” (Jeffres & Cutietta, 1999, p. 90) ranked among the top three functions respondents identified with journalists’ roles. The other two functions were covering family events and reporting on economic developments (p. 95). Since the survey looked at community newspapers, it is not

surprising that family events and economic developments were rated highly. The significant point is that journalists thought the watchdog role is important.

Another survey of a local community found that the public also supports the watchdog function. The results showed that 49 percent of respondents supported a watchdog function, 25 percent favored the newspaper being supportive of the “goals of our public institutions,” and 26 percent were not sure whether newspapers should play a watchdog function or s (Stone & Banning, 1997, p. 92). As the authors state, “By these standards, the traditional watchdog role of the press not only still survives, but it thrives” (Stone & Banning, 1997, p. 90). Stone and Banning also point to the expanded boundaries of the watchdog role:

[T]he evolution of the watchdog role goes far beyond the boundaries of government inquiry to include many additional institutions of societal power including public utilities, conglomerates, medical providers and a host of influential individuals who may have no official connection with public office (p. 88).

The previous surveys coincide with a survey performed in 2003, which noted that the public and journalists differ in their support of the watchdog function. While 70 percent of the journalists said that the watchdog role is extremely important, 47 percent of the public had the same opinion of the watchdog role (D Weaver, Beam, Brownlee, Voakes, & Wilhoit, 2003).

What journalists need to watch can be determined by who sets the agenda. Cobb and Elder state that the president had the most power to set the national agenda, followed by Congress (Cobb & Elder, 1971, p. 907):

The strategic location of these leaders not only assures them of media visibility when they want to promote an issue, but is also places them in an excellent position to bargain with other decision makers over the content on an institutional agenda (p. 907).

President George W. Bush illustrated how a president can set the national agenda when he asserted that Iraq had WMDs and that Hussein backed al Qaeda. Before these issues became salient, President Bush was pushing WMDs and Hussein's support for al Qaeda to justify the Iraq War. Even though the information was false, the Bush Administration made these issues salient and relevant to the debate about going to war with Iraq. These actions relate to agenda-building, which concerns itself with how some news items get on the public agenda, while others do not (Berkowitz, 1990, p. 723).

Kiousis examined the role of the White House in asserting the power to control the agenda. He looked at whether there is a positive association between the frequency of presidential news conferences and speeches for the economy and foreign policy, and job approval rating. His results showed the job approval rating was positively associated with news conferences, but not with speeches (S Kiousis & Stromback, 2009, p. 10). Kiousis's results also showed a "meaningful" positive association between frequency of news conferences and job approval rating for foreign policy, but not for economic issues (p. 10). Obtrusive issues are topics that have a direct effect on people, such as the economy, while unobtrusive issues are topics that are less likely to have an effect on people, such as foreign policy.

Stromback's and Kiousis's results coincide with previous research that found the

agenda-building effect is stronger for unobtrusive than obtrusive issues. (Watt, Mazza, & Snyder, 1993, p. 424). These results indicate that for an obtrusive issue such as health care, agenda-building via news conferences would not necessarily change public opinion.

Another reason for the discrepancy between the news conferences and speech rating results could be caused by a difference in how news conferences and speeches are used. At a news conference, the best spin can be put on events. Speeches are sometimes used when there is a pressing problem, such as the economy, causing people to be predisposed against the president on the topic discussed. However, news conferences are also used during pressing problems or crises, so further research would be needed to quantify the conditions under which speeches and news conferences are given.

While agenda-setting is generally more effective for unobtrusive issues, results from political campaigns indicate that candidates can be successful in setting the agenda along with the media:

Based on the correlations, it seems that not only were the candidates' public relations efforts meaningful in setting the media issue agenda as predicted, but the media issue agenda had a significant influence on the salience of those issues on the public agenda (Spiro Kiouisis, Mitrook, Xu, & Seltzer, 2006, p. 280).

However, sometimes one candidate is more successful at setting the agenda. During the 2002 Florida gubernatorial election between Republican incumbent Jeb Bush and Democratic challenger Bill McBride:

... the Bush campaign enjoyed a strong positive correlation between its issue agenda and the public issue agenda, the McBride campaign was less successful (Spiro Kiouisis et al., 2006, p. 280).

In a 2005 study, Kiouisis found that “simple media attention is not the only factor in public opinion, but so is how that candidate is portrayed in news coverage” (Spiro Kiouisis, 2005, pp. 17-18). Golan also found a similar result. (G. J. Golan, Kiouisis, & McDaniel, 2007, p. 440). Taken together, these results indicate that, while public relations can affect the public agenda, the influence is somewhat indeterminate, and other factors influence the effectiveness of public relations on the salience of issues.

Another issue that manifests itself when discussing agenda-setting is whether balanced news presents an accurate picture. Public relations specialists are presenting one side, which can lead an individual to favor the view presented by the specialist. Journalists, in an effort to be balanced, allow representatives from all sides of an issue to present their case without commenting on the veracity of the arguments. Some experts argue that this view of balance fails to present issues accurately. Martin Kaplan directs USC’s Norman Lear Center, which studies the interaction of journalism, politics and entertainment. He states that:

Every issue can be portrayed as a controversy between two opposite sides, and the journalist is fearful of saying that one side has it right, and the other side does not. It leaves the reader or viewer in the position of having to weigh competing truth claims, often without enough information to decide that one side is manifestly right, and the other side is trying to muddy the water with propaganda (Smolkin, 2007).

The associate chair of the journalism department at San Francisco State University, Venise Wagner, agrees that strict adherence to balance can create problems:

As journalists, by contrast, "We've presented a balanced picture to the public. But is it accurate? Is it authentic?" She cites coverage of the global warming debate, which, until recently, often was presented as an equal argument between scientists who said global warming was occurring and scientists who denied it. "That reality was not authentic. There were very few scientists who refuted the body of evidence" supporting global warming, Wagner says, yet the coverage did not always reflect that (Smolkin, 2007).

Given the recent history of deception that has taken place in the health care debate and other issues, it is important to understand if journalists are willing to report inaccurately when they know information is false. Kaplan says, "[S]traight journalists ... can be played like a piccolo by people who know how to exploit that weakness (Smolkin, 2007), and if the media reports the information without verification, the false information continues to be propagated (Arsenault & Castells, 2006, pp. 301-302).

Public Relations

Public relations has played a growing role in influencing the news and the reporting practices of journalists (Cameron et al., 1997; Sallot & Johnson, 2006; Turk & Franklin, 1987). This growing role has ramifications for the news. Gans described the relationship between news and sources as a dance, explaining that while "it takes two to tango, either sources or journalists can lead, but more often

than not, sources do the leading” (Gans, 1979, p. 116). Wendell Potter, a former public relations executive in the health insurance industry, makes the case that the source leads in discussing the role of public relations in health care. He states that “if you are among those who believe the United States has ‘the best health care system in the world’ despite overwhelming evidence to the contrary,” it is because the health care insurance PR campaign “succeeded brilliantly” (Potter, 2010, p. 2).

External news sources, defined as public relations, wires, and other media (Lewis, Williams, & Franklin, 2008, p. 31), are providing a large amount of information to newsrooms. In an examination of British newspapers, Lewis, Williams, and Franklin found that “only 12 per cent [sic] of published stories are without content sourced from outside the newsroom,” and 60 per cent [sic] of the stories relied “wholly or mainly on external news sources” (Lewis et al., 2008, p. 30). The Press Agency supplied the whole or most of the content for 30 percent of the stories while stories from public relations specialists accounted for the whole or most of the story in 19 percent of the cases. The Press Agency stories “are at least as likely to be based on PR as press stories” (p. 31).

Reich found that PR specialists “contributed varying amounts of material” 73 percent of the time and supplied 100 percent of the information 22 percent of the time (Reich, 2010, p. 806). This result is similar to the previous result (Lewis et al., 2008, p. 30) where PR specialists supplies most or all the content in 19 percent of the stories.

A study that looked at agenda building among health news reporters found that “*other news media, personal interest/someone on staff, and the news audience*”

were the “highest rated resources” for news stories (Len-Rios et al., 2009, p. 322). The only non-PR resource that was rated lower than PR resources for story ideas was medical journals. These results indicate that agenda building in health journalism is different from traditional news reporting (p. 325), at least as perceived by health journalists, since traditional news reporting relies more on PR resources for agenda building.

My question of how did journalists address the allegations of “death panels” in reporting on the health care health care debate that led to the passage of the ACA is an investigation of how reporters respond to false allegations. Does objectivity require that journalists only report what each side says, or does objectivity require that the veracity of claims be addressed? If veracity is an issue, then can the misinformation become salient enough to be discredited so that issues can be discussed on their merits?

Given the recent history of deception that has taken place in the health care debate or the buildup to the Iraq war, it is important to review and discuss the best way to report the most accurate and reliable information by responding to and correcting misinformation.

When public figures, special interest groups, or businesses use public relations to influence policy debates by introducing false information, the consequences can be deadly. Our current health care system allows 44,789 people to die per year due to lack of insurance (A. Wilper et al., 2009, p. 2292). That is why it is imperative to understand what steps reporters will take to rectify falsehoods. If these falsehoods are not challenged, poor and sometimes egregious policy decisions

will continue by action or inaction with all the associated consequences. Reporters must understand how the current practice of objectivity can allow the person with the greatest argumentation skills to manipulate the news.

Research

This research examines the how reporters respond to misinformation, which is defined as:

... [C]onfining misperceptions to statements that can be strictly proven to be false is quite limiting. Instead, ... political misperceptions ... include both demonstrably false claims and unsubstantiated beliefs about the world that are contradicted by the best available evidence and expert opinion (Nyhan, 2010, p. 1).

To examine the response to misinformation, the following research question will be addressed:

RQ1: Did journalists address the truthfulness of the claims about “death panels” in the reporting on the debate that led to the passage of the Patient Protection Affordable Care Act?

Methodology

Originally, to research how reporters respond to misinformation, a content analysis was performed on the U.S. newspapers with the highest daily circulations, *The Wall Street Journal*, *USA Today*, *The New York Times*, and *Los Angeles Times* with ("Audit Bureau of Circulations: US Newspapers - Search Results," 2011). Three

constructed weeks were used over a period of 32 weeks starting with the week of Aug. 8, 2009 through the week of March 14, 2010. August 9 is the first week after Palin used the term “death panel” in her Facebook posting. March 14 is the last full week before the passage of the ACA on March 23, 2010.

This original sampling method did not produce enough articles to analyze and would have limited analysis to the larger newspapers. Instead, it was decided to choose one week and analyze the articles from all the newspapers that referenced death panels. Starting with Aug. 8, 2009, the day after Palin mentioned “death panels” in her Facebook posting, a Lexis-Nexis search on the term “death panel” was performed on every seven-day period ending with the last start date of March 13, 2010. Every week between August 8th and March 13th was examined for the number of stories, and the week of August 8th was chosen because the eighth was the first day after Palin made her “death panels” claim, and because it had an adequate number of stories to analyze, 228 (which was the fourth highest total). This purposive sample (Wimmer & Dominick, 2006, p. 158) allows for a reasonable sample size and indicates how quickly reporters addressed the veracity of the death panel allegation. After removing duplicate articles, letters to the editor, and articles that were not relevant because they did not discuss health care, there were 160 articles to analyze. A listing of the newspaper and the number of articles is shown in Table 1 (Appendix A).

Once the articles were selected, the content and codes needed to be determined for the analysis. The following variables were used to analyze the articles.

File Name. File name of the newspaper article. This was an assigned file name that allowed access to the article.

Name. Newspaper Name

Headline. This is the title of the article and was coded to keep track of articles.

Author. This is the writer or reporter of the article.

Date. This is the date the article was published.

Veracity. This code addresses if the reporter stated whether the death panel claims were: (1) Not stated; (2) True; (3) False.

Tone of headline. This code describes whether the headline about the proposed health care law is: (1) Positive; (2) Neutral; (3) Negative.

Tone of coverage. This code describes whether the article's overall tone about the proposed health care law is: (1) Positive; (2) Neutral; (3) Negative.

Conclusion. This code indicates how the conclusion mentioned the death panel claim: (1) Ended on equivocal note; (2) Ended on note supporting death panel claim; (3) Ended on note countering death panel claim; (4) Death panel claim not mentioned in conclusion.

Source attribution of death panel claim. Source for the claim about whether the death panel claim is true or false.

Since I was the only coder, Holsti's Method (Wimmer & Dominick, 2006) was used to check intracoder reliability by randomly selecting 16 (10 percent) of the articles to compare with my original coding. The variables *Veracity*, *Tone of Headline*, and *Conclusion* had reliability scores of 1. For the variable *Tone of Coverage*, the reliability score was .94.

Results

The data were analyzed using frequencies. For RQ1, reporters addressed the veracity of the claims about “death panels” about 73% of the time. Of this number, about 69% of the time reporters correctly stated that the claim was false, and about 4% of the time reporters incorrectly stated that the claim was true. The claim was not addressed about 30% of the time. The results are summarized in Table 2 (Appendix A).

Of the 4% or six articles that claimed that the “death panels” were true, there were three from *The Washington Times* and one each from *The New York Post*, *The Times (London)* and *The Washington Post*. The general theme of these articles is that the “death panels” claim is true because these policies might lead to care being rationed or there would be “unintended consequences” (Allen, 2009) that effectively lead to death panels.

There is a problem with the preceding arguments that health care would be rationed or that there would be unintended consequences is that is Palin’s belief in “death panels” is literal. Palin states, “The America I know and love is not one in which my parents or my baby with Down Syndrome will have to stand in front of Obama’s ‘death panel’ so his bureaucrats can decide, based on a subjective judgment of their ‘level of productivity in society,’ whether they are worthy of health care” (Urbina, 2009). To argue that Palin is correct on the “death panels” charge because of something that might happen ignores the core of Palin’s argument that death

panels would exist under the proposed health care reform. It would be equivalent to someone saying that automobiles are death traps, and then arguing the claim is correct because somebody might die in an accident. Each of these arguments strains credibility.

When it came to the tone of headline, the journalists maintained a neutral tone about health care reform nearly 77% of the time. The headlines struck a positive or negative headline almost equally, 18 times (11.3%) and 19 times (11.9%) respectively. These results are summarized in Table 3 (Appendix A). This finding that most headlines were written using neutral language indicates that reporters and editors, for the most part, were maintaining neutrality when it came to reporting this topic.

For the tone of coverage, neutrality again appeared majority of the time (59%). The case for health care reform was showed a stronger supported about 26% of the time, or 11% more than the case against reform. The results are summarized in Table 4 (Appendix A).

Like tone of headline, journalists also maintained their objectivity when writing about what would become the ACA. This shows that most reporters tried to be impartial when reporting on the proposed health care law.

Almost all, 94%, of reporters refrained from mentioning the “death panels” claim in the conclusion of their articles. Those that did mention the claim in their conclusion chose to end either on an equivocal note, supported death panel claims” or countered the death panel claim (see Table 5 Appendix A).

Sarah Palin was the most frequently cited source of the “death panels” claim with 119 entries (74.4%). This was followed by no source attribution with 28 entries (17.5%). Betsy McCaughey got one entry. As mentioned previously, Palin based her claim of “death panels” on a false statement made by McCaughey that seniors would be required to attend counseling sessions on how to “end their life sooner.” Other entries were mentioned only one or two times. Table 6 (Appendix A) contains a summary of the results.

To see if the phrase “death panels” remained in the news after the first week, another search was performed, and the phrase continued to be mentioned in newspapers until the passage of the ACA. As stated previously, for the week starting on Aug. 8, 2009, the day after Palin first enunciated the term “death panel,” a Lexis-Nexis search yielded 228 mentions of the phrase.

In the second week after Palin mentioned “death panel,” starting Aug. 15, 2009, a Lexis-Nexis search found 441 instances of the phrase. For the following five weeks (starting on Aug. 22, 2009), the “death panel” phrase was mentioned an average of 209 times per week, and in the next 25 weeks (starting on Sept. 26, 2009) until the passage of the ACA, the phrase was mentioned an average of 40 times per week. This indicates that the “death panel” phrase remained in the public discourse at least until the passage of the ACA.

Discussion

At one level the results are encouraging. Nearly 70 percent of the articles stated that the “death panels” claim was false and less than four percent said it was

true, so reporters did address the claim, and by a substantial majority correctly stated that it was false. Yet the “death panels” claim remained in the news.

From a public relations standpoint, having Palin coin the “death panels” phrase, whether intentional or not, worked well. The phrase was memorable, created by a celebrity and cast health care reform in a negative light. The media reported it, and it became a rallying cry against health care reform and a substantive attribute related to health care reform in agenda-setting theory.

For agenda-setting theory, the object, or what to think about is health care reform. “Death panels” provide a way to think about that reform, and provide a second-level attribute that performs both the cognitive and affective functions. It is cognitive in that it describes a (false) characteristic of health care reform, and it is affective in that the phrase evokes a strong negative response that health care reform is an appalling idea. This dual functionality likely contributed to the power of the phrase and likely propelled the phrase to become an important component in the health care reform debate. This attribute became such a powerful theme that it almost derailed health care reform (Nyhan, 2010, p. 11).

Once the claim of “death panels was stated, journalists needed to hold Palin and others who made the assertion accountable, and based on this study, a substantial majority of the time, the claim was correctly identified as false as reporters engaged in the watchdog function. About 27 percent did not comment on the truthfulness of the claim, and about four percent said the claim was true. Interestingly, even when journalist reported the claim that “death panels” were true, it was not a direct statement of truth. Most reporters said the claim was true

because rationing could occur or quality of care could be in peril. “The senator was pressed on the widespread charge that the House bill's provisions for end-of-life counseling would lead to ‘death panels.’ He toed the Republican line, saying the provisions would threaten quality care for seniors” (Billups, 2009). As can be seen, there is no claim that actual death panels would be created.

Even as the journalists were addressing the veracity of “death panels,” they remained neutral in their coverage about 59 percent of the time. This illustrates that the reporters were striving to be impartial as they reported the news.

While it is encouraging that more than two-thirds of the articles correctly identified the “death panels” claim, the discouraging part is that the claim was active until the ACA passed, so “death panels” were not removed from the public discourse. There are probably several reasons for this.

First Palin was a celebrity at the time, and some people will latch and follow what a celebrity says. Second, the opponents of health care reform had a formidable public relations campaign. Third, about 4 percent of the articles said the claim was true and about 27 percent of the articles did not address the veracity of “death panels.” As previously mentioned, if journalists report information without verification, false information continues to be propagated. Finally, only one part of the media, newspapers, was reviewed, so the veracity percentages for all media could be different from my results.

There is another problem with the spread of misinformation—it reduces the discussion of actual issues. Every time a reporter decided to address the “death panels” claim, there was less time to discuss the real issue, whether health care

reform is necessary. Most articles that reviewed the “death panel” claims devoted no or little space to the issue of health care reform. A notable exception was an article in the *St. Louis Post-Dispatch*, which articulated six reasons why health care reform is needed (“Defending the indefensible Our view • The dishonest case against health care reform,” (2009, August 13). *St. Louis Post Dispatch*, p. A14).

Recommendations for Future Research

In the immediate aftermath of the Palin’s “death panels” statement, many articles reported on her comment. Given her prominence at the time and the importance of health care, this coverage was expected. Yet Palin’s claim was one of many falsehoods that were promulgated about proposed health care reform.

A more comprehensive content analysis would look at all media sources and catalog the attributes used in the health care debate. These attributes should be identified as either pro or con for reform and valid or invalid arguments. The attributes, source and date of first use should be identified. Various ratios should be calculated such as the ratio of valid to invalid arguments, the ratio of pro to con arguments, the ratio of pro reform to invalid arguments, and the ratio of con reform to invalid arguments.

If possible, the preceding information should be correlated with public opinion to see which arguments had staying power and why. Attention should be paid to how invalid arguments gain traction, and if invalid arguments lose traction and are eventually dismissed.

The analysis could start with agenda-setting theory. Attributes should be classified as cognitive or affective. In addition, an examination should be made as to whether attributes can be both cognitive and affective as the “death panels” claim is. If an attribute serves a dual purpose, the question of whether does this increase the likelihood that it will become a frame and persist in its staying power should be addressed.

Finally, the most effective way to counteract misinformation should be determined and used when necessary. Agenda-setting theory, public relations and watchdog techniques should be examined to find the most effective techniques to render misinformation useless. Hopefully, this information would provide the knowledge to set public policy based on facts.

Conclusion

As one article observed:

There's an old proverb that says a lie can travel halfway around the world while the truth is still getting its boots on. That's surely true when the lie instills deep personal fears, and lies appear to be in full sprint as the nation's health care debate goes local. ("Misinformation, mayhem mar debate on health care," (2010, August 10). USA Today, p. 6A).

The “death panels” claim indicates that a false claim can “travel” a long way and long time. Even when about 70 percent of the articles contradicted the claim, it continued to get traction. There is a certain irony that opponents of health care reform made this argument, yet for the most part ignored the estimated 18,000 per

year deaths due to lack of health insurance (Wilper et al., 2009). (The Wilper report came out in December 2009 and updated the deaths caused by lack of insurance to about 45,000 per year. In August 2009, the best estimate at that time would have been the 18,000 deaths cited.)

Of course, valid arguments could be made for and against health care reform. The problem occurs when invalid arguments are used and gain traction. It is discouraging and frightening that misinformation can become central themes in policy debates. It is discouraging because time is wasted on false arguments when real issues and solutions need to be debated. It is frightening because lives and money can be at risk if the wrong policies are implemented.

When McCombs and Shaw performed their groundbreaking study in 1972, the media was much different. Most people received their news from newspapers and the major networks. The Internet and cable television did not exist. This made it harder for fringe ideas to get publicity and traction. The advent of the Internet and cable news has provided the opportunity for people to get their news from biased sources without the filters of objectivity or fact checking.

In the current media environment there are many sites that attempt to tell people what to think, and it is time to examine whether these sites are successful in not just telling people what to think about, but also what to think. As these sites try to influence public opinion, they sometimes try to develop frames that support their ideas. These frames may be so important that they are what people think about, and thus, in the current media environment, have become first-level objects in agenda-setting theory. The effect of frames and their current roles needs further study.

Unfortunately, there are no easy solutions to counteract misinformation. In 2005, about two years after the Iraq War started under President George W. Bush, I was discussing the justifications for that war with a friend. I was flabbergasted when my friend said that Saddam Hussein supported al Qaeda and helped with the 9/11 attacks. When I said that experts agree that Hussein did not support al Qaeda, my friend responded by saying that the experts I listen to agree that Hussein did help in the planning of 9/11.

If my friend knew the facts, it is an open question whether my friend would have still supported war with Iraq, but I would have preferred that the decision be based on facts instead of fiction. This is the crux of the issue. While disagreements on policy will continue, every effort should be made to insure that policy decisions are based on facts. By studying the best methods to counteract misinformation, journalists, public relations specialists, and others can contribute to policy discussions based on validity, and hopefully contribute to the best possible policy solutions.

Appendix A: Tables

Table 1: Listing of Newspapers and Count of Articles

Newspaper	Count	Newspaper	Count
New York Times, The	7	Claremore Daily Progress (Oklahoma)	1
Washington Post, The	7	Creston News Advertiser (Iowa), The	1
Washington Times, The	6	Daily Camera (Boulder, Colorado)	1
Guardian Unlimited	5	Daily Mail (London)	1
Atlanta Journal-Constitution, The	4	Daily Telegraph (London), The	1
Contra Costa Times (California)	4	Evening Standard (London), The	
Daily News (New York)	4	Express, The	1
Denver Post, The	4	Free Press (Mankato, Minnesota), The	1
St. Petersburg Times (Florida)	4	Independent Tribune (Concord, North Carolina)	1
Guardian (London) - Final Edition, The	3	Irish Examiner	1
Investor's Business Daily	3	Knight Ridder Washington Bureau	1
Lewiston Morning Tribune (Idaho)	3	Kokomo Tribune (Indiana)	1
New York Post, The	3	Las Cruces Sun-News (New Mexico)	1
Times (London), The	3	Marin Independent Journal (California)	1
Union Leader (Manchester, NH), The	3	McDowell News (Marion, North Carolina), The	1
USA Today	3	Morning Star	1
Virginian-Pilot(Norfolk, VA.), The	3	New York Observer	1
Australian, The	2	New Zealand Herald, The	1
Brattleboro Reformer (Vermont)	2	News & Advance (Lynchburg, Virginia), The	1
Globe and Mail (Canada), The	2	News Virginian (Waynesboro, Virginia), The	1
Hawk Eye (Burlington, Iowa), The	2	News-Journal (Daytona Beach, Florida)	1
Hays Daily News (Kansas), The	2	News-Sentinel (Fort Wayne, Indiana), The	1
Houston Chronicle, The	2	Northwest Florida Daily News (Fort Walton Beach, Florida)	1
Independent (London), The	2	Observer (England), The	1
Mirror, The	2	Odessa American (Texas)	1
Monterey County Herald (California)	2	Omaha World-Herald (Nebraska)	1
Record (Bergen County, NJ), The	2	Ottawa Citizen	1
San Bernardino Sun (California)	2	Palm Beach Post (Florida)	1
San Francisco Chronicle (California), The	2	Pasadena Star-News (California)	1
San Jose Mercury News (California)	2	Portland Press Herald (Maine)	1
St. Paul Pioneer Press (Minnesota)	2	Reporter (Vacaville, California), The	1
Star-News (Wilmington, NC)	2	Right Vision News	1
Albuquerque Journal (New Mexico)	1	Salt Lake Tribune, The	1
Anniston Star (Alabama), The	1	San Antonio Express-News	1
Bangor Daily News (Maine)	1	Santa Cruz Sentinel (California)	1
Beaver County Times (Pennsylvania)	1	Santa Fe New Mexican (New Mexico), The	1
Bemidji Pioneer (Minnesota), The	1	Spokesman Review (Spokane, WA)	1
Berkshire Eagle (Pittsfield, Massachusetts), The	1	St. Louis Post-Dispatch (Missouri)	1
Bismarck Tribune, The	1	Sun (England), The	1
Blade (Toledo, Ohio), The	1	Sunday Territorian (Australia)	1
Buffalo News (New York)	1	Telegram & Gazette (Massachusetts)	1
Capital Times (Madison, Wisconsin), The	1	Topeka Capital-Journal (Kansas)	1
Charleston Gazette (West Virginia)	1	Wisconsin State Journal (Madison, Wisconsin)	1
Chicago Daily Herald	1	York Dispatch (Pennsylvania), The	1

Table 2: Veracity Frequencies and Percentages (n=160)

Value	Frequency	Percent
False	111	69.4
Not Stated	43	26.9
True	6	3.8
Total	160	100

Table 3: Tone of Headline Frequencies and Percentages (n=160)

Value	Frequency	Percent
Neutral	123	76.9
Negative	19	11.9
Positive	18	11.3

Table 4: Tone of Coverage Frequencies and Percentages (n=160)

Value	Frequency	Percent
Neutral	94	58.8
Positive	42	26.3
Negative	24	15.0
Total	160	100

**Table 5: Conclusion Mentioned Death Panels
Frequencies and Percentages (n=160)**

Value	Frequency	Percent
Death panel claim not mentioned in conclusion	151	94.4
Ended on note countering “death panels” claim	6	3.8
Ended on equivocal note	2	1.3
Ended on note supporting “death panels” claim	1	0.6
Total	160	100

**Table 6: Source attribution of death panel claim
Frequencies and Percentages (n=160)**

Value	Frequency	Percent
Sarah Palin	119	74.4
None	28	17.5
Critics	2	1.3
Betsy McCaughey	1	0.6
Conservatives	1	0.6
GOP Talking Points	1	0.6
Heath Care Reform Critics	1	0.6
Opponents	1	0.6
Others	1	0.6
Republican	1	0.6
Republican Politicians and Right-Wing Talking Heads	1	0.6
Rumors	1	0.6
Sarah Palin and Other Conservatives	1	0.6
Sarah Palin Types	1	0.6
Total	160	100.0

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