

*July 7 / Administration of William J. Clinton, 1998*

constituted a threat to international peace and security. The United States will continue to coordinate its comprehensive sanctions enforcement efforts with those of other U.N. member states. We remain determined to ensure that the perpetrators of the terrorist acts against Pan Am 103 and UTA 772 are brought to justice. The families of the victims in the murderous Lockerbie bombing and other acts of Libyan terrorism deserve nothing less. I shall continue to exercise the powers at my disposal to apply economic sanctions against Libya fully and effec-

tively, so long as those measures are appropriate, and will continue to report periodically to the Congress on significant developments as required by law.

Sincerely,

WILLIAM J. CLINTON

NOTE: Identical letters were sent to Newt Gingrich, Speaker of the House of Representatives, and Albert Gore, Jr., President of the Senate. This letter was released by the Office of the Press Secretary on July 7.

## Remarks on Signing the Memorandum on Ensuring Compliance With the Health Insurance Portability and Accountability Act

*July 7, 1998*

Thank you. Mr. Pomeroy, we're delighted to have you here, along with your colleagues, and we appreciate the work you do every day. I want to thank all of those who are here with me on this platform who are responsible for the action we're taking today and the work we've done on health care. And, like the Vice President, I'd like to say a special word of appreciation to Senator Kennedy.

I honestly believe that when the history of the United States Congress in the 20th century is written, there will be very few people who have exercised as much positive influence to benefit the American people, whether they were in the majority or the minority, as Senator Kennedy. And this is one of the crowning achievements of his career, and I'm very grateful to him for what he's done.

I have done everything I knew to do to help our country move forward to expand health care access and improve health care quality. Yesterday I announced an important initiative to help more than 3 million senior citizens get assistance in paying their Medicare bills. I have called upon Congress to rise above partisanship and join me in ensuring that the well-being of the patient will always be our health care system's bottom line, whether or not the patient is in a managed care plan or in traditional fee-for-service medicine. And in a few moments, I intend to take action to strengthen the vital health care protections of the Kennedy-Kassebaum law.

It was nearly 2 years ago that I stood with many of the people in this room on the South Lawn to proudly sign that bill into law. It was a remarkable achievement, the product of extraordinary dedication by Senators Kassebaum Baker and Senator Kennedy and others. It's given millions of Americans the chance to change jobs without losing health insurance even if they or someone in their family has a so-called pre-existing condition.

Unfortunately, reports have shown that some health plans are paying no more than lip service to the requirements of the law, delaying or denying coverage to eligible Americans. That is unacceptable. It is wrong.

I will sign an Executive order, at the conclusion of this event, to give new teeth to the Kassebaum-Kennedy law and new peace of mind to Americans with pre-existing conditions. As the single largest buyer of private health insurance, the Federal Government speaks with a very loud voice. With that voice, we now put health plans on notice. This administration has zero tolerance for actions that undermine these vital health care protections. If you violate the letter or the spirit of the Kassebaum-Kennedy law, we will, if necessary, terminate your contract to provide health insurance to Federal employees. If you say no to people with pre-existing conditions, the Federal Government will say no to you.

I am very pleased that the National Association of Insurance Commissioners will join the

Department of Health and Human Services and the Office of Personnel Management in these efforts. As the primary enforcers of the Kassebaum-Kennedy law, the State commissioners play a crucial role, and I thank them for their help.

Now it's Congress' turn also to get involved. We must work together in the same spirit of bipartisanship that produced the Kassebaum-Kennedy law to enact an enforceable Patients' Bill of Rights. All Americans deserve to know that the medical decisions they depend upon are being made by medical doctors and not insurance company accountants. All Americans have the right to know all their medical options and not just the cheapest. All Americans should have the right to choose the specialists they want for the care they need. All Americans should have the right to emergency room care whenever and wherever they need it. Traditional care or managed care, all Americans deserve quality care.

In February I took executive action to extend this Patients' Bill of Rights to all the 85 million Americans who get their health insurance through the Federal Government. Now Congress must do so for every American.

Today there are only 37 working days left in this session of Congress, but that's no excuse for failing to act, and millions of Americans are looking to us for the right kind of action. They want us to pass a strong, bipartisan Patients' Bill of Rights. They want us to put progress over partisanship. They want us to leave our country stronger for the century just ahead. I believe this action today helps to achieve that goal, and I thank all of you for your role in it.

Thank you very much.

NOTE: The President spoke at 2:20 p.m. in the Grand Foyer at the White House. In his remarks, he referred to Glenn Pomeroy, president, National Association of Insurance Commissioners. The President also referred to the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191; and his memorandum of February 20 on Federal agency compliance with the Patient Bill of Rights (*Public Papers of the Presidents: William J. Clinton, 1998 Book 1* (Washington: U.S. Government Printing Office, 1999), p. 260).

## Memorandum on Ensuring Compliance With the Health Insurance Portability and Accountability Act July 7, 1998

*Memorandum for the Secretary of Labor, the Secretary of Health and Human Services, the Director of the Office of Personnel Management*

**Subject:** Ensuring Compliance with the Health Insurance Portability and Accountability Act of 1996

Earlier this year, my Administration received a number of troubling reports that health insurers were circumventing insurance protections under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) by giving financial incentives to agents to avoid enrolling Americans with pre-existing conditions. In addition, we learned that some agents were delaying the processing of applications submitted by qualified individuals in order to ensure that the applicant had a sufficient break in coverage to

lose eligibility for HIPAA protections. Such actions clearly were and are inconsistent with the letter and spirit of HIPAA.

In February, I directed the Department of Health and Human Services (HHS) to take appropriate actions to encourage health insurers and their agents to stop all such harmful practices. The Health Care Financing Administration (HCFA) responded by immediately releasing a strong guidance bulletin on March 18 to every insurance commissioner in the Nation, advising them of our strong commitment to ensure compliance with HIPAA.

Today, I am taking additional actions to ensure that health plans comply with this law. I direct the Office of Personnel Management (OPM) to use its contractual relationship with health plans to improve HIPAA compliance. The