

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

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OPM oversees the Federal Employees Health Benefit Program (FEHBP), the Nation's largest employer-sponsored health benefits program with 9 million enrollees and 350 participating health plans.

Specifically, I direct the OPM to take all appropriate action—up to and including termination of a participating health plan from the FEHBP—if the OPM determines, consistent with HIPAA and implementing regulations, that a plan is engaging in insurance practices that are inconsistent with the letter and spirit of HIPAA. In order to be eligible to participate in the FEHBP, carriers subject to HIPAA will have to certify to the OPM that they are providing access to health insurance in compliance with HIPAA. Such action by the OPM will provide another enforcement tool to the Federal Government without in any way altering or hindering any other enforcement action by the HCFA or State insurance commissioners.

To help ensure that the OPM can take these important enforcement actions, I direct the HCFA to immediately send to the OPM reports

of violations by insurers or their representatives that preclude or inhibit access to the insurance protections provided under HIPAA. Any such referral to the OPM would not alter the responsibility of States or the HCFA to utilize any and all enforcement tools at their disposal to ensure HIPAA compliance.

Finally, I direct that the HHS and the Department of Labor report to me, through the Vice President, within 6 months on the successes and shortcomings of HIPAA. This report should be produced after consultation with the States and the National Association of Insurance Commissioners and should include specific legislative or regulatory recommendations to further strengthen this law.

My Administration has zero tolerance for any actions that hinder vulnerable Americans from accessing insurance, consistent with HIPAA's protections. This directive is intended to ensure that health plans come into compliance with this important statute so that Americans are assured these insurance protections.

WILLIAM J. CLINTON

Statement on the Death of M.K.O. Abiola of Nigeria

July 7, 1998

I was deeply saddened to learn of the sudden and untimely death of M.K.O. Abiola, a distinguished citizen and patriot of Nigeria. I extend my heartfelt condolences to his family and to all of the people of Nigeria.

Members of a U.S. delegation, led by Under Secretary of State Thomas Pickering, and Nigerian officials were with Chief Abiola when he fell ill. They accompanied him to the hospital with a physician and Government officials and witnessed physicians at the State House clinic work to try to save Chief Abiola.

I have been encouraged by the efforts of the new head of state, General Abdulsalam Abubakar, to restore public confidence in the Government of Nigeria and to take crucial initial steps to embark on a credible transition to civilian democratic rule. I urge the Government of Nigeria to continue and to expedite this transition and call upon all the people of Nigeria to contribute peacefully and constructively to build a brighter future for their country.

In this time of tragedy, I wish to reaffirm the longstanding friendship of the people of the United States for the people of Nigeria.

Remarks on Efforts to Promote Gun Safety and Responsibility

July 8, 1998

I would like to begin by thanking Suzann Wilson for making the long trip up here from

Arkansas with her sister to be with us today, so soon after that terrible tragedy. Most people