

and help us enact the Patient Right to Know Act.

# INTRODUCTION OF THE PATIENT RIGHT TO KNOW ACT OF 1996

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. MARKEY. Mr. Speaker, I am pleased to join Dr. GANSKE today in introducing the Patient Right to Know Act of 1996.

When I was a boy, my mother told me, "if you don't have anything nice to say, don't say anything at all." Now when my mother said that, she was not talking about protecting the feelings of health plans. She was talking about people, who sometimes, unfortunately, become patients. So she would be quite surprised to see this dangerous twist on her advice in some of the contracts between doctors and health plans we see today. Today, to protect the feelings of health plans, doctors are being asked to restrict what they say to their patients. This is wrong, just plain wrong. No doctor can practice good medicine in a muzzle.

The fact is, when you're a patient, what you don't know can hurt you. That's why Congressman GANSKE and I are introducing the Patient Right to Know Act. The Patient Right to Know Act will prohibit health plans from restricting communications between doctors and their patients about treatment options, their benefits and risks, and other issues related to quality of care. It will ensure that doctors are allowed to tell their patients why a plan decides to pay for, or deny, a treatment. Finally, it will bar plans from restricting doctors from talking to their patients about financial arrangements they have with the plans which might affect those patients' access to care.

The impetus for our bill was the increasingly frequent reports of health plans trying to keep doctors from talking freely to their patients about their health care needs, or forcing doctors to sign contracts that include clauses restricting doctor-patient communications. I was deeply disturbed by these reports, because I am a great believer in the principle of informed consent and restrictions on communications between doctors and their patients make informed consent impossible. Attacks on informed consent—which is the most basic patient protection—simply cannot be tolerated in our society.

I have worked on consumer protection issues for a lot of years now, and I look at it this way: Patients are really just consumers of health care. Like any other kind of consumer, patients need complete and accurate information about the products or services available if they're going to make good decisions about the health care they consume. The only difference is, we are not talking about toasters or washing machines here, we are talking about people's health and lives.

Now Dr. GANSKE here has an advantage, because while I was at law school, learning about the rule against perpetuities, he was in med school, learning how to make sick people well. So when Dr. GANSKE is feeling a little under the weather, and he goes to see his family doctor, he's on a pretty level playing field. He knows what questions to ask. He's

probably already read about the latest treatment for whatever it is that ails him.

But the ordinary Joe is at a disadvantage. He does not get the New England Journal of Medicine at home. He places enormous trust in his doctor, and depends on his doctor to tell it to him straight. When a health plan tries to control or censor communications between its doctors and their patients, that critical bond of trust is broken.

Silence isn't always golden. Although he who has the gold sometimes tries to demand silence—the fact is, in today's world, knowledge and information are the coins of the realm. Nowhere is this truer than in the realm of health care.

Hippocrates said "Health is the greatest of human blessings." Surely, it is the most precious although many of us do not realize this until we ourselves or someone we love becomes seriously ill. Then, we would give away anything we have—all of our worldly treasures—to make them well again. At that moment, our greatest ally is our doctor, and our most valuable asset is the information he can give us. That is why passing the Patient Right to Know Act is so important.

## IN HONOR OF AFRICAN-AMERICAN WOMEN

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. FROST. Mr. Speaker, in honor of this year's theme of African-American women, I wish to recognize the passing of former Congresswoman Barbara Jordan, one of Texas' greatest political figures. She died at the age of 59 from pneumonia, one of the many illnesses which she suffered from in the last years of her life. But the life that she led was extraordinary, and she left a mark that few will ever match, and that none will ever forget.

Mr. Speaker, Congresswoman Jordan distinguished herself from an early age. With her family's encouragement she worked hard to rise above the poverty of her childhood in Houston. She graduated magna cum laude from Texas Southern University. It was there that she first displayed her powerful oratorical skills as a member of the debate team. In 1959 she received her law degree from Boston University.

Mr. Speaker, Barbara Jordan made history by setting a number of firsts. She was the first black State Senator in Texas history, elected in 1966. In 1972 she was accorded the high honor of being elected president pro tempore of the Texas Senate, another first for an African-American. Eight years later she recorded another first, becoming the first black from Texas to be elected to Congress. Although she only served for 6 years in the House of Representatives, her impact was monumental.

It was as a freshman Congresswoman, Mr. Speaker, that the Nation first came to know Barbara Jordan. As a member of the House Judiciary Committee she made one of the defining speeches of the Richard Nixon impeachment hearings. Rising above the political rhetoric, she told the world, "My faith in the Constitution is whole, it is complete, it is total, and I am not going to sit here and be an idle spectator to the diminution, the subversion, the de-

struction of the Constitution." Indeed, her statements reminded America of what was truly great about this country.

On a more personal note, Mr. Speaker, Barbara Jordan served as one of my earliest political role models. I had a chance to see Congresswoman Jordan speak at the 1976 Democratic National Convention. Like everyone else that heard her speech I was moved not only by her eloquence, but by her definition of public service. "More is required of public officials than slogans and handshakes and press releases," she said. "We must hold ourselves strictly accountable. We must provide the people with a vision of the future." These words continue to guide and inspire me 20 years later.

I wish in the coming days that all Texans would join me in reflecting upon the legacy of Barbara Jordan. She stood for honesty, integrity, and an unswerving commitment to the principles on which this country was founded. Her legacy will endure as we continue to honor these ideals.

## PHILADELPHIA GAY NEWS CELEBRATES 20 YEARS OF SERVICE TO COMMUNITY

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. FOGLIETTA. Mr. Speaker, I rise today to recognize the 20 year anniversary of publishing for the Philadelphia Gay News, one of the oldest newspapers serving the gay and lesbian community in America.

I met a young activist named Mark Segal when I was a Republican member of the Philadelphia City Council many years ago. When Mark started the newspaper in 1975, he was a pioneer. In 1975, very few communities had any means for gays and lesbians to know about what was going on in terms of politics, government, health or social events. They had to depend on leaflets and word of mouth. Through the energy of people like Mark Segal throughout the country, that has changed. Lesbian and gay journalism helped that community become more cohesive, politically aware and active. Indeed, trailblazers like Mark Segal helped put the community in the gay and lesbian community. Now, Mark is respected as an elder statesman in gay and lesbian independent journalism in America, though he is anything but an elder. Nationally, Mark was deeply involved in the establishment of gay and lesbian journalists' and publishers' organizations, as well as putting some of their newspapers onto the internet.

Through credible and independent journalism, the Philadelphia Gay News promoted pride in gay and lesbian self identity and educated the community about violence and HIV, AIDS, and other health concerns. The paper helped promote empowerment by giving an advertising avenue for burgeoning gay and lesbian business interests. It gave force to gays and lesbians in Philadelphia government and politics.

I congratulate Mark Segal, his partner Tony Lombardo, who acts as the paper's business manager, and the paper's editor Al Patrick for their commitment to adding to the vitality and diversity of the Greater Philadelphia community.

TRIBUTE TO LAKELAND  
ELEMENTARY SCHOOL

HON. ESTEBAN EDWARD TORRES  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. TORRES. Mr. Speaker, I rise today to pay tribute to Lakeland Elementary School in Norwalk, CA. Lakeland has been selected for the 1996 Program of Excellence Award by the California Council for the Social Studies. Only one school or district is selected each year throughout California to receive this prestigious award.

With the leadership and support of principal Tom Noesen, the creative and imaginative staff at Lakeland have used social studies as the core of an exciting resource-based instructional program, which has attracted the attention of an increasing number of educators. Lakeland School has also developed a remarkable relationship with its students, families, and with its primarily minority community. The staff at Lakeland Elementary are to be commended for achieving such positive educational results and for boosting its role within the community.

In this era of dwindling resources and support for public education, it is encouraging to see enthusiastic and caring teachers that are committed to providing our children the high quality education to which they are entitled. Lakeland School is a prime example of a team effort. Because of the cooperation that exists on the part of the administration to the students, Lakeland School has proved itself to be a pioneer in the effort to prepare our young people for success in the challenging world of tomorrow.

Mr. Speaker, it is with tremendous pride and appreciation that I ask my colleagues to join me in acknowledging the positive contribution that Lakeland School is making toward the future of America.

TRIBUTE TO WEST SUBURBAN  
CHAMBER OF COMMERCE 1996  
AWARDS HONOREES

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to five outstanding individuals and three organizations in my district who were recently honored for public service and volunteerism by the West Suburban Chamber of Commerce (WSCC).

Mr. Lawrence Kinports of LaGrange, IL, was named as the WSCC's Citizen of the Year. Mr. Kinports, a retired business executive and current LaGrange trustee, is renowned in the community for his volunteer work. He serves as an active member of the boards of numerous organizations, including the Southwest Suburban Center of Aging and the Community Extension Project, which serves the youth of his community. In addition, Mr. Kinports has been previously recognized by this Member with my Senior Citizen of the Year Award.

WSCC Man of the Year Ronald Henrickson of LaGrange is another individual who can't say no when it comes to giving of his time and

talents. He is a member of LaGrange's Economic Development/Redevelopment Commission, sits of the board of directors of the Richport YMCA, and volunteers with Mainstreet LaGrange, a redevelopment group in the community.

Ms. Linda Johnson of Western Springs, IL, the Chamber's Woman of the Year, is a successful small-business owner who also finds time for her community. She has been especially active in expanding opportunities for girls and young women, serving as board member of the Whispering Oaks Girl Scout Council and is a past president of the LaGrange Business and Professional Women's Organization. Ms. Johnson also sits on the Western Springs Economic Development Commission and the WSCC Board of Directors, and is the immediate past president of the Western Springs Business Association.

Mayor Carl LeGant of Countryside, IL, the WSCC's Public Servant of the Year, represents all that is good about government service. Mayor LeGant is a true pioneer in his community. He was active in Countryside's incorporation in 1959 and has served in city government since 1963. His honesty and devotion to his community are unquestioned, and after scandal rocked Countryside's government nearly 20 years ago, Carl LeGant was elected Mayor and helped restore the people's faith in their municipal leaders.

Mr. James Durkan of Indian Head Park, IL, was recognized with the Outstanding Community Service by an Individual Award. Mr. Durkan serves as president of the Community Memorial Fund, which distributes funds for health and wellness projects throughout the community. He is also active in the LaGrange Kiwanis Club and received the LaGrange Community Nurse Service Association's Outstanding Service Award in 1993 and currently serves on the Chamber's board of directors.

Other WSCC award winners include the Rich Port YMCA as the Outstanding Community Service Organization. The Y, a true landmark in LaGrange, recently celebrated its 50th anniversary of serving 15 area communities. More than 200,000 people utilize the Rich Port YMCA each year.

Winners of the Chamber's Beautification Award include Burcor Properties of LaGrange and Courtright's Restaurant of Willow Springs, IL. Burcor and its owner, Jerry Burjan, a former WSCC Man of the Year, have done much to improve downtown LaGrange, including renovating a number of commercial buildings. William and Rebecca Courtright, owners of Courtright's, painstakingly preserved the surrounding natural beauty of a sweeping, wooded hill when they constructed their restaurant in Willow Springs.

Mr. Speaker, I congratulate the West Suburban Chamber of Commerce honorees on their contributions to the community and wish them and the WSCC much success in the future.

AGRICULTURE REGULATORY  
RELIEF AND TRADE ACT

HON. PAT ROBERTS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. ROBERTS. Mr. Speaker, today we are introducing what some have called Farm Bill

II. More accurately we are calling it the Agriculture Regulatory Relief and Trade Act of 1996. This is a small step toward providing American farmers with the regulatory relief that will enable them to compete in a very competitive global environment.

Many of my colleagues have seen the Agriculture Policy Ledger. The Agriculture Committee has told farmers that there will be less money in the future but in return we have also promised less Government involvement in their lives. The Contract With America contained many of those promises. The Clean Water Act adopted by this House and awaiting action in the Senate would go a long way in addressing a wetlands regulatory nightmare.

I am firmly committed that we should consider many of the policy issues impacting farmers in a calm and careful manner. This bill will lay the cornerstone for the Agriculture Committee's effort to provide some regulatory relief to producers in the agricultural policy area. This bill reflects our commitment to a two-track approach. The first track, the Agricultural Market Transition Act, contains the major spending items in the agriculture budget. The second track, the one that we are embarking on today, deals with many of the policy issues under the House Agriculture Committee's jurisdiction.

I firmly believe rolling all of the budget and policy issues into one huge farm bill is a mistake. The Senate chose to pursue this approach and in that process ended up spending at least \$800 million above the December CBO baseline. In fact, when you compare the Agriculture Market Transition Act to the Senate bill, we save over \$5.4 billion more than they do.

REGULATORY RELIEF AND REAUTHORIZING THE CRP

The conservation title of the Agriculture Regulatory Relief and Trade Act fulfills a promise we made to our producers during the 1994 elections and the budget debate—in return for reduced Government support, we reduce the Government's involvement in their lives. The 1985 farm bill established a partnership between the Federal Government and the farmers. That agreement in essence said we will provide income support payments in return for compliance with government regulations.

However, since that time we have reduced payments by nearly two-thirds. At the same time Government regulations have increased exponentially. This is the first step towards stopping increased Government regulation on producers and making the regulations that remain meet the common sense tests that all regulations should have to meet—technical and economic feasibility and a focus on results, not on process.

The bill that I am introducing today with my subcommittee chairmen meets these tests. It protects the environment and allows producers to use their own innovation to meet environmental goals instead of forcing them to use the innovations of Government bureaucrats. This legislation will also halt several instances of regulatory overkill that have plagued producers since these laws were passed. This legislation goes a long way toward ending this overkill and putting producers back in charge of their land.

Specifically, this legislation will expedite procedures that producers must go through when requesting variances from conservation compliance due to circumstances beyond their control. Conservation systems and plans are