

internal police investigations, and for other purposes.

S. 350

At the request of Mr. THURMOND, the names of the Senator from Oklahoma [Mr. INHOFE], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of S. 350, a bill to authorize payment of special annuities to surviving spouses of deceased members of the uniformed services who are ineligible for a survivor annuity under transition laws relating to the establishment of the Survivor Benefit Plan under chapter 73 of title 10, United States Code.

S. 433

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 433, a bill to require Congress and the President to fulfill their Constitutional duty to take personal responsibility for Federal laws.

S. 496

At the request of Mr. CHAFEE, the names of the Senator from Arkansas [Mr. HUTCHINSON], the Senator from Illinois [Ms. MOSELEY-BRAUN], and the Senator from Louisiana [Ms. LANDRIEU] were added as cosponsors of S. 496, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 541

At the request of Mr. ALLARD, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 541, a bill to provide for an exchange of lands with the city of Greeley, Colorado, and The Water Supply and Storage Company to eliminate private inholdings in wilderness areas, and for other purposes.

S. 548

At the request of Mr. ROBERTS, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 548, a bill to expand the availability and affordability of quality child care through the offering of incentives to businesses to support child care activities.

S. 648

At the request of Mr. GORTON, the name of the Senator from Ohio [Mr. DEWINE] was added as a cosponsor of S. 648, a bill to establish legal standards and procedures for product liability litigation, and for other purposes.

S. 755

At the request of Mr. CAMPBELL, the names of the Senator from Kentucky [Mr. McCONNELL], and the Senator from Missouri [Mr. ASHCROFT] were added as cosponsors of S. 755, a bill to amend title 10, United States Code, to restore the provisions of chapter 76 of that title (relating to missing persons) as in effect before the amendments made by the National Defense Authorization Act for Fiscal Year 1997 and to

make other improvements to that chapter.

S. 832

At the request of Mr. KOHL, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 832, a bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal limitations on hours of service.

S. 876

At the request of Mr. GREGG, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 876, a bill to establish a nonpartisan commission on Federal election campaign practices and provide that the recommendations of the commission be given expedited consideration by Congress.

S. 891

At the request of Mr. ABRAHAM, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 891, a bill to require Federal agencies to assess the impact of policies and regulations on families, and for other purposes.

## AMENDMENTS SUBMITTED

### THE BALANCED BUDGET ACT OF 1997

#### DODD AMENDMENT NO. 425

(Ordered to lie on the table.)

Mr. DODD submitted an amendment intended to be proposed by him to the bill, S. 947, to provide for reconciliation pursuant to section 104(a) of the current resolution on the budget for fiscal year 1998; as follows:

On page 874, between lines 7 and 8, insert the following:

#### SEC. 5817A. CONTINUATION OF MEDICAID ELIGIBILITY FOR DISABLED CHILDREN WHO LOSE SSI BENEFITS.

(a) IN GENERAL.—Section 1902(a)(10)(A)(i)(II) (42 U.S.C. 1396a(a)(10)(A)(i)(II)) is amended by inserting “(or were being paid as of the date of enactment of section 211(a) of the Personal Responsibility and Work Opportunity Act of 1996 (Public Law 104-193; 110 Stat. 2188) and would continue to be paid but for the enactment of that section)” after “title XVI”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to medical assistance furnished on or after July 1, 1997.

#### GREGG AMENDMENT NO. 426

Mr. GREGG proposed an amendment to the bill, S. 947, supra; as follows:

On page 213, strike all of (d) and insert the following:

“(d) TERMS AND CONDITIONS OF IMPOSING PREMIUMS.—Each Medicare Choice organization shall permit the payment of net monthly premiums on a monthly basis and may terminate election of individual for a Medicare Choice plan for failure to make premium payments only in accordance with section 1851(g)(3)(B)(i).”

#### DEWINE AMENDMENT NO. 427

(Ordered to lie on the table.)

Mr. DEWINE submitted an amendment intended to be proposed by him to the bill, S. 947, supra; as follows:

At the appropriate place in chapter 3 of subtitle F of division 1 of title V, insert the following:

#### SEC. . MEDICARE SPECIAL REIMBURSEMENT RULE FOR PRIMARY CARE COMBINED RESIDENCY PROGRAMS.

(A) IN GENERAL.—Section 1886(h)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(h)(5)(G)) is amended—

(1) in clause (i), by striking “and (iii)” and inserting “, (iii), and (iv)”;

(2) by adding at the end the following:

“(iv) SPECIAL RULE FOR PRIMARY CARE COMBINED RESIDENCY PROGRAMS.—

(I) In the case of a resident enrolled in a combined medical residency training program in which all of the individual programs (that are combined) are for training a primary care resident (as defined in subparagraph (H)), the period of board eligibility shall be the minimum number of years of formal training required to satisfy the requirement for initial board eligibility in the longest of the individual programs plus one additional year.

“(II) A resident enrolled in a combined medical residency training program that includes an obstetrics and gynecology and gynecology program qualifies for the period of board eligibility under subclause (I) if the other programs such resident combines with such obstetrics and gynecology program are for training a primary care resident.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to combined medical residency training programs in effect on or after July 1, 1996.

#### HARKIN AMENDMENT NO. 428

Mr. HARKIN proposed an amendment to the bill, S. 947, supra; as follows:

At the end of the bill, add the following:

#### SEC. . IMPROVING INFORMATION TO MEDICARE BENEFICIARIES.

(a) CLARIFICATION OF REQUIREMENT TO PROVIDE EXPLANATION OF MEDICARE BENEFITS.—Section 1804 of the Social Security Act (42 U.S.C. 1393b-2) is amended by adding at the end the following new subsection:

“(c)(1) The Secretary shall provide a statement which explains the benefits provided under this title with respect to each item or service for which payment may be made under this title which is furnished to an individual, without regard to whether or not a deductible or coinsurance may be imposed against the individual with respect to such item or service.

“(2) Each explanation of benefits provided under paragraph (1) shall include—

“(A) a statement which indicates that because errors do occur and because medicare fraud, waste and abuse is a significant problem, beneficiaries should carefully check the statement for accuracy and report any errors or questionable charges by calling the toll-free phone number described in (C)

(B) a statement of the beneficiary's right to request an itemized bill (as provided in section 1128A(n)); and

“(C) a toll-free telephone number for reporting errors, questionable charges or other acts that would constitute medicare fraud, waste, or abuse, which may be the same number as described in subsection (b).”.

(b) REQUEST FOR ITEMIZED BILL FOR MEDICARE ITEMS AND SERVICES.—

(1) IN GENERAL.—Section 1128A of the Social Security Act (42 U.S.C. 1320a-7a) is amended by adding at the end the following new subsection:

“(m) WRITTEN REQUEST FOR ITEMIZED BILL.—

"(1) IN GENERAL.—A beneficiary may submit a written request for an itemized bill for medical or other items or services provided to such beneficiary by any person (including an organization, agency, or other entity) that receives payment under title XVIII for providing such items or services to such beneficiary.

"(2) 30-DAY PERIOD TO RECEIVE BILL.—

"(A) IN GENERAL.—Not later than 30 days after the date on which a request under paragraph (1) has been received, a person described in such paragraph shall furnish an itemized bill describing each medical or other item or service provided to the beneficiary requesting the itemized bill.

"(B) PENALTY.—Whoever knowingly fails to furnish an itemized bill in accordance with subparagraph (A) shall be subject to a civil fine of not more than \$100 for each such failure.

"(3) REVIEW OF ITEMIZED BILL.—

"(A) IN GENERAL.—Not later than 90 days after the receipt of an itemized bill furnished under paragraph (1), a beneficiary may submit a written request for a review of the itemized bill to the appropriate fiscal intermediary or carrier with a contract under section 1816 or 1842.

"(B) SPECIFIC ALLEGATIONS.—A request for a review of the itemized bill shall identify—

"(i) specific medical or other items or services that the beneficiary believes were not provided as claimed, or

"(ii) any other billing irregularity (including duplicate billing).

"(4) FINDINGS OF FISCAL INTERMEDIARY OR CARRIER.—Each fiscal intermediary or carrier with a contract under section 1816 or 1842 shall, with respect to each written request submitted to the fiscal intermediary or carrier under paragraph (3), determine whether the itemized bill identifies specific medical or other items or services that were not provided as claimed or any other billing irregularity (including duplicate billing) that has resulted in unnecessary payments under title XVIII.

"(5) RECOVERY OF AMOUNTS.—The Secretary shall require fiscal intermediaries and carriers to take all appropriate measures to recover amounts unnecessarily paid under title XVIII with respect to a bill described in paragraph (4)."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to medical or other items or services provided on or after January 1, 1998.

#### SEC. . PROHIBITING UNNECESSARY AND WASTEFUL MEDICARE PAYMENTS FOR CERTAIN ITEMS.

Notwithstanding any other provision of law, including any regulation or payment policy, the following categories of charges shall not be reimbursable under title XVIII of the Social Security Act:

(1) Entertainment costs, including the costs of tickets to sporting and other entertainment events.

(2) Gifts or donations.

(3) Personal use of motor vehicles.

(4) Costs for fines and penalties resulting from violations of Federal, State, or local laws.

(5) Tuition or other education fees for spouses or dependents of providers of services, their employees, or contractors.

#### SEC. . REDUCING EXCESSIVE BILLINGS AND UTILIZATION FOR CERTAIN ITEMS.

Section 1834(a)(15) of the Social Security Act (42 U.S.C. 1395m(a)(15)) is amended by striking "Secretary may" both places it appears and inserting "Secretary shall".

#### SEC. . IMPROVED CARRIER AUTHORITY TO REDUCE EXCESSIVE MEDICARE PAYMENTS.

PAYMENT FOR SURGICAL DRESSINGS.—Section 1834(i) of the Social Security Act (42

U.S.C. 1395m(i)) is amended by adding at the end the following new paragraph:

"(3) GROSSLY EXCESSIVE PAYMENT AMOUNTS.—Notwithstanding paragraph (1), the Secretary may apply the provisions of section 1842(b)(8) to payments under this subsection."

#### SEC. . ITEMIZATION OF SURGICAL DRESSING BILLS SUBMITTED BY HOME HEALTH AGENCIES.

Section 1834(i)(2) (42 U.S.C. 1395m(i)(2)) is amended to read as follows:

"(2) EXCEPTION.—Paragraph (1) shall not apply to surgical dressings that are furnished as an incident to a physician's professional service."

#### KENNEDY (AND WELLSTONE) AMENDMENT NO. 429

Mr. KENNEDY (for himself and Mr. WELLSTONE) proposed an amendment to the bill, S. 947, supra; as follows:

Strike section 5362.

#### GRAMS AMENDMENT NO. 430

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the bill, S. 947, supra; as follows:

At the end of chapter 4 of subtitle F of division 1 of title V, insert the following:

#### SEC. . EXCLUDING GENERAL SERVICE WAGES AND HOURS ASSOCIATED WITH A SEPARATE SKILLED NURSING FACILITY IN DETERMINING MEDICARE GEOGRAPHIC RECLASSIFICATION OF CERTAIN HOSPITALS.

In the case of a hospital that is owned by a municipality and that has been reclassified as an urban hospital under section 1886(d)(10) of the Social Security Act for fiscal year 1996, in calculating the hospital's average hourly wage for purposes of continued geographic reclassification under such section for subsequent fiscal years, the Secretary of Health and Human Services shall exclude the general service wages and hours of personnel associated with a skilled nursing facility that is owned by the hospital or the same municipality and that is physically separated from the hospital to the extent that such wages and hours of such personnel are not shared with the hospital and are separately documented. A hospital that applied for and was denied reclassification as an urban hospital for fiscal year 1998, but that would have received reclassification had the exclusion required by this section been applied to it, shall be reclassified as an urban hospital for fiscal year 1998.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MARLENE BURKE

• Mr. JEFFORDS. Mr. President, I rise today to pay tribute to Marlene "Molly" Burke of Rutland, VT. After 40 years of dedicated service to the teachers and students of Vermont, Molly has decided to retire.

Molly began her distinguished career, inspired by her father, in 1956 at Pittsford High School when she was 22 years old. After a summer abroad, she taught at Essex Junction High School for a short while, then moved to Proctor High in 1959. In 1964, she began teaching at my alma matter, Rutland High, where she remained for three decades. Molly taught history in the

classroom, however her interaction with her students did not end in the classroom. Molly coached cheerleading, and directed class plays as well. Her commitment to excellence and dedication to the students beyond normal classroom hours is in the finest tradition of Vermont's educational system.

It was in recognition of her excellence that the Vermont teachers elected Molly president of the State chapter of the National Education Association in 1989. She moved to Montpelier where she headed the largest teachers union in Vermont because she believes that people should be treated fairly and equally and she made enormous efforts to improve the working conditions within all of Vermont's schools.

Molly Burke embodies what all educators should strive to achieve. Once again, I would like to extend my thanks for her service to Vermont and best wishes in her retirement.

Mr. President, I ask that an article from June 2, 1997, in the Rutland Daily Herald be printed in the RECORD.

The article follows:

[From the Rutland Daily Herald, June 2, 1997]

GOODBYE, MOLLY

(By Kevin O'Connor)

Here in history class, Rutland High teacher Marlene Burke is relating the story of a seemingly hapless rookie instructor of 40 years ago.

Miss Reichelt, age 22, taught English, math and social studies, coached cheerleading, directed class plays, snuck short afternoon naps and spent long nights marking papers and lesson plans, all for \$8,000 a year.

Miss Reichelt, barely afloat by June, decided to bail out. Escaping to Europe, she capped her summer with a startling revelation:

She was born to teach.

Burke laughs at the punch line. Before she married, she was Miss Reichelt. She gave the classroom another chance. It, in return, gave her a career.

Burke has taught history for four decades, three of them at Rutland High. Colleagues elected her president of the state's 7,000-member teachers union three times from 1989 to 1995. She now heads the association's 200-member local arm.

Call her The Unsinkable Molly Burke. But exactly 40 years after first leaving the classroom, the teacher has decided to do it again.

She's retiring.

"I love what I do," she says, "but I think it's time."

Burke's career was inspired by her father, a German immigrant who believed in the American dream.

"He said with education you can do everything, without it you can do nothing," she recalls.

Burke entered public school after graduating from the parochial St. Michael's High School in Montpelier and Trinity College in Burlington. She started teaching Sept. 4, 1956 at Pittsford High, long since replaced by Otter Valley union High in neighboring Brandon.

Students couldn't pronounce "Miss Reichelt," so she wrote a few hints on the chalkboard:

Rye (like bread)

Kelt (like felt)

They worked too well.

"Some of them would spell it Ryekelt."