

## EXTENSIONS OF REMARKS

### CRITICAL STEP FORWARD FOR HMO PATIENTS' RIGHTS

**HON. JANICE D. SCHAKOWSKY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 1999*

Ms. SCHAKOWSKY. Mr. Speaker, the United States Supreme Court will soon hear a case that will have far reaching consequences for millions of health maintenance organization patients. The justices will review an Illinois case about whether patients can sue HMO plans that give doctors bonuses to keep treatment costs down. The issue that the Supreme Court will examine is whether patients can sue HMOs, under federal law, for making medical decisions based on the bottom line.

Millions of Americans already believe that HMOs that limit medical treatment to cut costs and increase profits should be held accountable in a court of law. That is why the Supreme Court decision to review this case is so critical.

That is why it is also vital for Congress to pass meaningful and necessary patient protections that will help give millions of Americans the tools they need to end HMO abuses and hold HMOs accountable.

I wish to attach an article from today's Chicago Sun-Times about the upcoming Supreme Court case.

[From the Chicago Sun Times, Sept. 29, 1999]

COURT TO HEAR HMO BONUSES CASE

(By Lyle Denniston)

WASHINGTON.—The Supreme Court agreed Tuesday to decide whether it is legal for doctors to cut back on treatment to save money for a health maintenance organization.

The outcome of a case from Illinois may go far to determine how much protection federal law will offer Americans in the face of cost-cutting efforts by managed care plans.

In the case, a federal appeals court ruled that it is illegal under federal law for doctors who make treatment decisions for patients of a medical benefits plan to get bonuses for saving the plan money by providing less expensive care.

The 7th U.S. Circuit Court of Appeals, based in Chicago, decided last year that those who make the key decisions for a benefits plan must do so only to further the interests of the patients.

Anyone in the plan management, including doctors who determine the nature and duration of treatment, is obliged to protect the fund's assets for the patients' benefit, the appeals court said.

The appeals court said it feared that managing care has been replaced by managing costs.

A Downstate Bloomington doctor and her HMO employer took the dispute to the Supreme Court, calling the appeals court ruling "dangerous and disruptive to health care providers and the nation's overall system of health care delivery."

This controversy, the doctor and the HMO contended, "is of profound national importance. Most contemporary welfare benefit plans provide for managed care, through HMOs or other devices." The appeals court

ruling, they argued, makes the main type of organization now used for medical care unlawful.

The case arose after a patient, Cynthia Herdrich, went to see the Bloomington doctor for an abdominal pain. In her 1992 lawsuit against Carle Clinic Association, Herdrich contended that the doctor found a small inflamed mass in the abdomen and directed treatment to be done eight days later at an HMO-owned facility 50 miles away rather than at a Bloomington hospital.

During the eight-day wait, the patient claimed, her appendix ruptured. She said this added further to the HMO's costs, so she sued the doctor to recover for the plan the expenses of her added care. Her claim was dismissed in federal court but was reinstated during appeal.

### TRIBUTE TO DON KING

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 1999*

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to one of America's greatest boxing promoters, Mr. Don King.

Born on August 20, 1931, and raised in the Cleveland housing projects by his mother Hattie, Don beat the odds to become a very successful promoter. His shocking hair style, infectious smile, booming laugh, inimitable vocabulary and his catch phrase "Only in America!" have made Don King universally recognizable.

King's career as a promoter spans three decades and includes more than 500 world championship fights, but it began with a plea to help save a Cleveland hospital. Facing a severe shortage of funds, Forest City Hospital was prepared to shut down. King knew the hospital was vital to poor and working class people. He sought out heavyweight champion Muhammad Ali and asked him to support a benefit to raise money for the hospital. The two men hit it off and the hospital was saved.

Mr. Speaker, Don's promotions have entertained billions around the globe. His life has been devoted to staging the best in world championship boxing, as well as giving back to the people. Don King promotes events that have given the sports and entertainment world some of their most thrilling and memorable moments and have advanced the careers of many African-American and Puerto Rican fighters.

In 1974 King promoted one of history's biggest fights in the former Zaire (now the Democratic Republic of Congo). Dubbed "The Rumble in the Jungle," the fight featured Muhammad Ali against George Foreman. The first major black promoter, King controlled the heavyweight title from 1978-90 while Larry Holmes and Mike Tyson were champions. He regained control of the heavyweight title in 1994 with wins by Oliver McCall (WBC) and Bruce Seldon (WBA). Other fighters he promoted include Roberto Duran, Julio Cesar

Chavez and of course the new WBC welterweight champion, Mr. Felix "Tito" Trinidad.

King's tireless and continuous philanthropic efforts are rarely chronicled, but as he says, "if you do something just to get noticed, then it is not a truly charitable gesture." He established the Don King Foundation, and through it has donated millions of dollars to worthy causes and organizations. As a reminder of the economic hardship he endured growing up, King has gone into neighborhoods every holiday season and personally handed out turkeys to needy families. Don's "Turkey Tour" has given away hundreds of thousands of turkey dinners over the years in cities across the country during the holiday season.

Inducted into the Boxing Hall of Fame in 1997, King was the only boxing promoter named to Sports Illustrated's list of the "40 Most Influential Sports Figures of the Past 40 Years." The New York Times published a list that included Don King among 100 African-Americans who have helped shape this country's history during the last century. The honors and awards he has been given are almost beyond counting.

Don King is married to Henrietta and they have two sons, Carl and Eric, a daughter, Debbie, and five grandchildren.

Mr. Speaker, I ask my colleagues to join me in paying tribute to America's greatest boxing promoter, Mr. Don King.

### THE ANNIVERSARY OF SAMARITAN HOUSE—TWENTY-FIVE YEARS OF SERVICE TO SAN MATEO COUNTY

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 1999*

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in expressing heart-felt appreciation to Samaritan House of San Mateo County. As this outstanding nonprofit organization celebrates twenty-five years of service, I want to congratulate and commend Samaritan House and its leaders for distinguished service to San Mateo County.

The Samaritan House has dedicated its energies and efforts to meeting the needs of low-income residents of central San Mateo County. The organization has provided help to over 15,000 individuals each year, and it has made a great contribution to the improvement of our community. The goal of this organization is to provide immediate assistance to those in urgent need, while helping them on the road back to self-sufficiency. This is a truly praiseworthy effort, which has required countless hours of service and dedication from individuals and groups within the community under the leadership of Samaritan House.

Mr. Speaker, the efforts of Samaritan House to assist the disadvantaged began in 1974 and have steadily grown each year since. The

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

organization now provides meals five days a week from two different sites. It also maintains a food pantry which distributes over 325 food boxes each month to area families. Medical attention and emergency shelters are also made available by the group. The Samaritan House offers free tutoring and legal services, as well as clothing and furniture. This type of service, which is urgently needed in our community, has been generously provided by the Samaritan House.

Over 1,200 volunteers work with Samaritan House, and these generous people share their means and contribute their time and effort to assist those in need. They promote self-sufficiency and preserve the dignity and worth of those they help. It is my desire that my Colleagues in the Congress not only pay tribute to Samaritan House but that—in recognition of the quarter century of humanitarian achievement of Samaritan House—we renew our own personal commitment to assist those who are in need.

Mr. Speaker, Samaritan House is an inspiring organization. It has helped people who are in need not only with immediate care and the necessities of life, but it has also helped to provide longer-term help so that people are able to stabilize their lives and move on to self-sufficiency. I am extremely grateful for the caring men, women, and children who have dedicated time and energy to this endeavor. I invite my colleagues to join me in expressing our sincere appreciation and congratulating Samaritan House on its twenty-fifth anniversary.

HONORING WILLIAM E. CHALTRAW

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 1999*

Mr. RADANOVICH. Mr. Speaker, I rise today to honor William E. Chaltraw for his commitment to the Fresno community and his dedication for his countless hours of volunteer work.

William E. Chaltraw, owner of Chaltraw & Associates, has 23 years of experience as a certified public accountant. His associates include his daughter Kristen, also a certified public accountant, and his wife Agnes, office manager of the family-owned business.

Chaltraw moved to Fresno with his parental family in 1963 from Detroit, Mich. He later graduated summa cum laude from CSUF in 1976 and spent most of his years as a partner at Deloitte & Touche before hanging out a shingle bearing his family name. He also taught individual, partnership and corporate taxation at his alma mater for more than four years.

Chaltraw is a man who seems to consistently take on additional responsibilities. Right now, he is the chairman of Community Medical Foundation's board of trustees and a member of Community Medical Center's corporate affairs committee. As chairman, Chaltraw's duties include overseeing the board's activities, meeting with corporate officers and volunteers and directing the goals the foundation has set.

Community certainly isn't Chaltraw first experience with nonprofit organizations. His experience includes serving as president of the Fresno Metropolitan Rotary Club, past presi-

dent of the Rotary Storyland/Playland board of trustees, and chairman of the taxation committee for the Fresno chapter of the California Society of Certified Public Accountants. He also serves as treasurer for the Bulldog foundation and set to be president of the foundation in the near future.

Mr. Speaker, it is my pleasure to honor William E. Chaltraw for his extraordinary leadership among local business and community activities. He has provided Fresno community with many years of outstanding commitment and handwork. I urge my colleagues to join me in wishing Chaltraw many more years of continued success.

NATIONAL MONUMENT NEPA  
COMPLIANCE ACT

SPEECH OF

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 24, 1999*

Mr. BLUMENAUER. Mr. Speaker, since I was elected to Congress, I have been focusing on the issue of livable communities and how we can create better partnerships between the Federal Government, State and local governments and our citizens. As amended this bill will increase input from local communities while preserving important national landmarks.

The 1906 Antiquities Act has served our nation well for almost a century. It has led to the preservation of the Grand Canyon, Death Valley, and Grand Teton National Parks. These sites have great environmental importance, they add to our nation's heritage, and through tourism they are an important part of local economies. This legislation would ensure that the President continues to have the authority to designate monuments, while giving communities a larger voice in the process. I urge my colleagues to support H.R. 1487, the Public Participation in the Declaration of National Monuments Act.

HONORING EFFORTS TO PRESERVE THE SAN JACINTO BATTLEGROUND STATE HISTORICAL PARK

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 1999*

Mr. BENTSEN. Mr. Speaker, I rise to honor the people and the spirit behind efforts to restore and maintain San Jacinto Battleground State Historical Park in the 25th Congressional District. This weekend I will have the honor to join members of the Harris County State Legislative Delegation and other members of the Texas Legislature, including the Speaker of the Texas House of Representatives James E. "Pete" Laney as they tour the battleground site including a boat ride down Buffalo Bayou and the Houston Ship Channel to its confluence with the San Jacinto River where the Battle of San Jacinto took place on April 21, 1836. This site, now State Park and monument along with the San Jacinto Museum of History, is where the Army of the Republic of

Texas, under the command of General Sam Houston, surprised and overwhelmed the Mexican Army and forced the surrender by its General Santa Anna leading to the establishment of the Republic of Texas and, nine years later, its entry into the United States.

In Texas, we believe in honoring our ancestors and preserving history for future generations. That's why the old-fashioned boat ride and picnic symbolizes more than a pleasant outing. It is a reenactment of boat trips from a century ago, when the San Jacinto Chapter of the Daughters of the Republic of Texas hosted trips in the 1980s to attempt to persuade State Legislators to purchase and preserve land around the Battlefield.

The Battlefield and surrounding land, now totaling more than 1000 acres, has long been considered a historical treasure by Texas residents, and was dedicated as a State Park in 1907, eventually receiving designation as a National Historic Landmark. In 1939, work was completed on the towering 567-foot San Jacinto Monument. Designated as a National Engineering Landmark, the Monument rises 12 feet higher than the Washington Monument and is the world's tallest monument column. The Museum which is housed in the base of the Monument opened in 1939 and holds hundreds of thousands of artifacts relating to Texas as a part of Spain, Mexico, the Republic of Texas, and early Statehood. Operating in a public/private partnership, the Park is administered by the Texas Parks and Wildlife Department; and the San Jacinto Museum of History, a nonprofit educational organization, operates the Museum.

The goal of the individuals currently working to preserve San Jacinto State Park, the Battlefield, the Monument, and the Museum is just as compelling and challenging today as it was a hundred years ago. This weekend the Trustees of San Jacinto State Park and Museum will do more than launch a boat trip; they will launch the beginning of the effort to return much of the Battleground to its natural appearance at the time of the 1836 battle and to transform the site into a world-class interpretive center and museum. The New Master Plan for the San Jacinto Battleground State Park, which will be outlined for the public and legislators, will eliminate some of the modern additions to the site that lessen the impact of experience for the 1.5 million people who visit the site annually. Restoring the site to its original and natural state will serve to create a better understanding of the sacrifices of those who fought there and the extraordinary historical significance of the battle itself.

Today it is very difficult for visitors to traverse the site and understand the Battle because of so many changes to the Battleground. Since its original designation as a Park, the Battleground has been partially obscured by buildings and monuments; by disposition of dredging soil; by landscaping; by construction of roads, picnic pads and other structures; and by subsidence ranging from eight to ten feet. Interpretation of the Battle is further complicated by the presence of the Battleship of Texas and its parking and support facilities. The main goals of the San Jacinto Battleground State Historical Park Master Plan is to give primary emphasis to the Battle and its physical setting in order to enhance interpretation and the visitor experience. After all, the site's national significance