

achievements. Among those who know him personally he is not only thought of as a great teacher and great preacher but as a child of God.

INTRODUCTION OF THE EQUAL ACCESS TO MEDICARE HOME HEALTH CARE ACT OF 2000

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 2000

Mr. MCGOVERN. Mr. Speaker, I rise today to join my colleagues—VAN HILLEARY, ROBERT A. WEYGAND, and JOHN PETERSON—in introducing the Equal Access to Medicare Home Health Care Act of 2000. This is an important piece of legislation that will extend the solvency of Medicare to home health care agencies across the country.

Mr. Speaker, Medicare is one of the most important and most popular programs ever implemented in our history. President Lyndon Johnson enacted Medicare into law in 1965. His signature was a statement that older Americans will not go without healthcare once they retire. He told us: "No longer will older Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years. No longer will young families see their own incomes, and their own hopes, eaten away simply because they are carrying out their deep moral obligations to their parents, and to their uncles, and their aunts. And no longer will this Nation refuse the hand of justice to those who have given a lifetime of service and wisdom and labor to the progress of this progressive country."

President Johnson was right. Today, millions of seniors participate in Medicare and this Congress is engaged in a debate to expand the program. One of the most important benefits provided by Medicare to seniors is home health care. Today, over 30 million seniors take advantage of the Medicare home health benefit. This benefit is vital to these seniors because it gives them independence. They can receive treatment in the comfort of their own homes. It is also cost effective. Without home health care, seniors would have to receive their care in the more costly settings of nursing homes or hospitals.

But patient care is in danger because of the actions of Congress. In 1997, Congress passed—without my vote—the Balanced Budget Act (BBA). The net effect of this bill was to cut over \$200 billion out of Medicare. Home health care was not spared from these vicious cuts. According to the Congressional Budget Office (CBO), Medicare spending on home health care dropped 45% in the last two fiscal years—from \$17.5 billion in 1998 to \$9.7 billion in 1999—far beyond the original amount of savings sought by the BBA. Across the country, these cuts have forced over 2,500 home health agencies to close and over 500,000 patients to lose their services.

The provisions in the BBA hit my home state of Massachusetts particularly hard. The home health provisions in the BBA attempted to cut the fraud, waste and abuse in the home health care business. Massachusetts, among

other Northeastern states, has a very efficient home health care system. Yet the BBA hurt Massachusetts very badly. To date, 28 home health agencies have closed, 6 more have turned in their Medicare provider numbers and chosen to opt out of the Medicare program, and 12 more have been forced to merge in order to consolidate their limited resources. In 1998, those agencies still able to serve Medicare patients had \$164 million in net operating losses. Over 10,000 patients have lost access to home health care service in Massachusetts because of the cuts in the BBA. As a result, many patients are relying on their family, most of them untrained to provide the care needed by their loved one, or are moving into more costly nursing homes and hospitals.

This bill that I am introducing today with my colleagues will provide some relief for this ailing industry, thereby allowing these agencies to resume treating seniors in the best way possible. Specifically, this bill addresses four shortcomings. These shortcomings were either caused by the cuts in the BBA or were identified by agencies as reasons why they cannot continue to treat Medicare patients.

First, our bill eliminates the 15% cut in Medicare home health payments. The BBA mandated that home health payments be cut by 15% on October 1, 2000. In 1999, Congress delayed implementation of that cut by one year. However, this cut will be implemented on October 1, 2001. This cut will further devastate this industry. The five national home health associations agree that this cut must be eliminated, and this bill ensures its elimination.

Second, the Equal Access to Medicare Home Health Care Act of 2000 provides relief for overpayments. The BBA mandated that the Health Care Financing Administration (HCFA) create a new payment structure, called the Perspective Payment System (PPS). While HCFA developed the PPS, the agency instituted an Interim Payment System (IPS). Thousands of agencies incurred overpayments during their first year of IPS implementation because they were not notified of their per beneficiary limits until long after these limits were imposed. With regard to IPS overpayments, HCFA does not dispute that beneficiaries were eligible for the services received and that the costs incurred were reasonable. Currently, agencies can opt into a 12-month extension with interest (approximately 13%). If an agency needs more than 12 months, it must request that extension from either the fiscal intermediary or the HCFA regional office. This bill gives agencies an automatic three-year, interest free extension, thereby allowing agencies to have the funds on hand to treat their patients.

Third, our bill provides an extra payment to home health agencies for transportation in rural areas and for security in high crime areas. Thousands of seniors who receive home care services live in rural areas, and the costs to treat these people are high. Agencies incur the travel costs in order to reach these patients and they cannot treat as many people in a single day because of the physical distance between patients. Rural patients deserve the same access to home care as non-rural areas, and this bill will allow agencies that serve rural areas to continue providing service to these areas. Specifically, this bill adds 10% to the base payment for patients in rural areas. Studies show that delivery of

home health services in rural areas is 12 to 15% more costly than average. This 10% add-on to the base payment for rural agencies will help insure care for needy beneficiaries in rural areas by easing the fiscal burden of agencies to treat these patients. Additionally, many agencies operate in high-risk areas and must provide security services to ensure the safety of their home care workers. This provision would reimburse these agencies for the costs of providing such services. The costs eligible for reimbursement would be determined by the Secretary of Health and Human Services, implemented nine months after the date of enactment of the bill.

Fourth, the Equal Access to Medicare Home Health Care Act of 2000 provides access to telemedicine for home health agencies. Technology is improving by leaps and bounds. Telemedicine allows doctors and other health care professionals to examine and sometimes treat a patient through an interactive terminal, like a television. Some home health agencies are already examining patients using telemedicine. Medicare, however, does not reimburse for home health care telemedicine visits, primarily because it is unclear how and to what extent these visits should be reimbursed. For this reason, this bill requires HCFA to study these visits and to report their findings to Congress. This bill also allows home health agencies to list on their cost reports any telemedicine services provided. Cost reporting will provide the data necessary to develop a fair and reasonable Medicare reimbursement policy for home health telemedicine and bring the benefits of modern science and technology to our nation's seniors.

This bill is an important step in continuing the vital home health services provided by Medicare. The BBA hurt home health services, yet, today, Medicare is the most solvent it has ever been. Our nation is experiencing the biggest economic expansion in the history of the world. We must have the political will to improve the systems that provide the necessary services to everyone in this great country. The Equal Access to Medicare Home Health Care Act of 2000 will do just that.

HONORING MR. BOB RUCKER

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 2000

Mr. CONDIT. Mr. Speaker, I rise today to recognize my good friend, Bob Rucker, and congratulate him for being named Citizen of the Year by the Greater Merced Chamber of Commerce for his outstanding service to the community and his commitment to our future.

Bob is one of Merced County's finest individuals. He readily engages in any and all civic matters to the benefit of all residents of Merced County. His commitment to build the University of California, Merced, campus is commendable. He has dedicated countless hours working to improve the transportation infrastructure of Merced County as well as working to remove graffiti from our neighborhoods.

Bob is a problem solver. He works well in coordinating the efforts of city, county and state officials to improve the quality of life in Merced. He is a tireless advocate on behalf of the business interests in the Merced community. It is my distinct privilege to recognize

Bob, and I ask that my colleagues rise and join me in saluting Bob Rucker as Merced's Citizen of the Year.

**HONORING STEVE DAVIS,
AVIATION LEADER**

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 2000

Mr. COX. Mr. Speaker, today I join with each of my colleagues in recognizing Steve Davis for his extraordinary contributions to American aviation, his dedication to his country, and his commitment to excellence.

In just three years, we will celebrate the 100-year anniversary of the first powered flight by man. On December 17, 1903, Orville and Wilbur Wright broke the bonds of earth after conquering serious technological and scientific obstacles. But the biggest obstacle they faced was the absolute certainty of those around them that it "simply couldn't be done." Bishop Wright said, during a sermon in 1890, "If God meant man to fly, he would have given him wings." Yet, just 13 years after their own father ordained it impossible, the Wright Brothers proved that perseverance and faith can overcome even the greatest of seeming impossibilities.

Steve Davis is one of those rare men who, like the Wright Brothers, never listened to those who told him it "couldn't be done." As a Navy pilot in Vietnam, a key leader with Frank Borman at Eastern Airlines, the founder of his own airline, and a respected leader among his aviation colleagues in Orange County, Steve Davis has long been in the forefront of aviation. He has taken on each challenge with the absolute certainty that nothing is impossible.

Steve Davis has proven to every American that, with the right attitude, even the greatest obstacles can be overcome. Steve gives 110 percent effort, 100 percent of the time. He has served his country with distinction, his industry with honor, and his friends and family with love.

Steve Davis's efforts and can-do optimism are appreciated by all who know him. In behalf of every one of us in the United States Congress, as well as all of the people of Orange County whom it is my privilege to represent, I am honored to extend to Steve Davis a hearty "thank you" and warmest congratulations for a job well done—and a shining example for all of us to follow.

**A SPECIAL TRIBUTE TO TOFT'S
DAIRY ON THE OCCASION OF ITS
ONE-HUNDREDTH ANNIVERSARY
CELEBRATION**

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 2000

Mr. GILLMOR. Mr. Speaker, it is with great pleasure that I rise today to pay special tribute to an outstanding business in Ohio's Fifth Congressional District. On Friday, June 23, 2000, Toft's Dairy will host an Old Fashioned Ice Cream Social to celebrate its one-hundredth birthday.

Toft's Dairy began in 1900, in Sandusky, Ohio, as the dream of Chris and Matilda Toft. The Toft's venture into the dairy business began as they started selling milk to customers in their rural area. With a great deal of hard work and determination, the Toft family was able to obtain a horse and wagon and began hauling large containers of milk to the city of Sandusky.

In 1935, the Toft family began to further expand its operation and purchased the Oswald Dairy. With the acquisition of this retail dairy, the Toft Dairy operation began and would continue as the business that we know today. Over the years, many members of the Toft family began to work in the dairy as it expanded its size and scope in serving the Sandusky area.

Toft's Dairy continued its efforts to diversify and grow as it began to pasteurize and homogenize milk and make its own ice cream. The 1960s and 70s brought enormous growth to the dairy as the company added new products, property, and equipment. In fact, in 1968, Toft's Dairy was the first dairy in the area to bottle milk in gallon plastic jugs.

Mr. Speaker, Toft's Dairy is the second oldest dairy still in business in the state of Ohio. That is quite an accomplishment. And, Toft's Dairy is the only locally owned and operated dairy on the Lake Erie shoreline between Lorain and Toledo. Toft's supplies products to more than 250 schools and 1,200 customers.

Mr. Speaker, it is often said that America succeeds due to the ingenuity and hard work of her sons and daughters. I think that is clear and true statement as the descendants of the Toft and Meisler families continue the Toft's Dairy tradition today. At this point, I would urge my colleagues in the 106th Congress to stand and join me in paying special tribute to Toft's Dairy. We congratulate you on your one-hundredth birthday and we wish you continued success far into the future.

HONORING KENNETH I. WARREN

HON. RONNIE SHOWS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 2000

Mr. SHOWS. Mr. Speaker, I would like to take a minute to tell my colleagues and the American People about my friend, Kenneth I. Warren of Mississippi. Ken is retiring this year from the Mississippi Department of Transportation where he has been working since 1963. Over these nearly four decades, Ken has been a driving force behind the incredible strides forward in transportation made in Mississippi.

It is easy to heap praise on Ken because he has contributed so much to his fellow-Mississippians over the years. Both professionally and personally, Ken has been a role model for his colleagues and friends. Whether leading the music at Porter's Chapel United Methodist Church, sharing his life at Cursillo, speaking his mind on the Transportation Research Board, or spending time with his family, Ken is always sincere, warm, and genuine.

When I arrived at the Mississippi Department of Transportation as Transportation Commissioner in 1988, Ken had already been around for 25 years, and he was more than willing to share his knowledge and offer his

advice. Ken leaves a void at MDOT that will not be easily filled.

I look forward to many more years of friendship and interaction with Ken Warren. It will not be through MDOT. Ken is moving on. But, our friendship will continue. To Ken Warren I say thank you for serving Mississippi in the fashion you did and for the contributions you have made to your state and nation.

**THE NEA'S POLITICAL
PRODUCTIONS**

SPEECH OF

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2000

Mr. SCHAFFER. Mr. Speaker, in recent weeks, the House has spent considerable time discussing the Fiscal Year 2001 appropriations bills, and I have joined my colleagues in debating the best uses of the American taxpayers' hard-earned money. As we evaluate the Department of the Interior Appropriations bill, I believe it is necessary to bring to light an egregious misuse of taxpayer dollars.

In 1965, President Lyndon Johnson created a program intended to advance and promote artistic endeavors in this country called the National Endowment for the Arts (NEA). On the surface, this seems a worthwhile cause. After all, who doesn't want to support ballet, theater, paintings and sculpture designed to enlighten and uplift audiences?

I am a strong supporter of the arts. In fact my office sponsors an art competition so students in my district can compete in the nationwide art competition sponsored by this House. I believe in supporting local artists to express their artistic talents. That is why I find it unfortunate NEA funding is often misused to support endeavors not intended to uplift and enlighten, but to advance ideas that are clearly obscene, anti-family and sacrilegious. This is more than unfortunate. It is unacceptable.

Just this past April, the Irondale Ensemble Project performed the play "The Pope and The Witch" at the Theater for New City in New York's East Village. This production was written by Dario Fo, an Italian satirist, communist and anti-Catholic activist. "The Pope and The Witch," portrays a paranoid pope addicted to heroin who is influenced by a witch dressed as a nun. As the play unfolds, various positions in the Catholic clergy are portrayed in an extremely sacrilegious manner including the portrayal of a drug-addicted pontiff promoting abortion and the legalization of drugs. In the play, he is gunned down by his own church. Fo's production maliciously describes the teachings of the Catholic Church and trivializes the role of its clergy, glorifying the use of narcotics. This production is offensive and a reprehensible use of hard-earned taxpayer dollars.

Is this the type of "art" the NEA had in mind when it gave the Irondale Ensemble Project a \$15,000 grant and the Theater for the New City a \$12,000 grant? As the representative of Colorado's Fourth Congressional District, I cannot approve \$27,000 of taxpayer money being allocated to a political production which attacks Catholicism and promotes illegal drug use. This is a travesty and complete violation of the trust the American people have placed in the Congress to spend their money wisely.