

are urged to repeal the restriction on government to negotiate reductions in prescription drug prices with manufacturers; and be it

Further resolved, That certified copies of this Resolution be transmitted to the President of the United States, the Speaker of the House of Representatives of the United States, the President of the Senate of the United States, and the members of Hawaii's Congressional delegation.

POM-443. A resolution adopted by the House of Representatives of the Legislature of the State of Florida relative to the distribution of Medicaid funds; to the Committee on Finance.

HOUSE MEMORIAL NO. 25

Whereas, Florida is the fourth most populous state, with 16.4 million residents, and

Whereas, more than 2 million Floridians live in poverty and approximately 2.8 million Floridians have no health insurance whatsoever, and

Whereas, it is a moral incumbency that every Floridian have access to quality, affordable health care, and

Whereas, impoverished Floridians have more difficulty securing quality, affordable health care, especially if they are uninsured, and

Whereas, Florida participates in the Federal Government's Medicaid program to support those impoverished citizens and ensure their access to health care, and

Whereas, when Medicaid was created in 1965, one of its purposes was to reduce the differences among the states regarding their respective abilities to fund medical services for the impoverished, and

Whereas, federal funds for Medicaid are distributed to the states based on a funding formula that uses per capita income as a key indicator of a state's ability to support its impoverished population, and

Whereas, numerous reports from the United States General Accounting Office dating back to the early 1980s demonstrate that per capita income is a poor indicator of a state's funding ability, and

Whereas, the use of per capita income assumes that states with lower per capita incomes have higher rates of poverty, which is a false assumption based on data from the United States Census of 2000, and

Whereas, the funding formula does not account for states' respective populations in poverty, the wealth distribution of larger states, or the costs to serve Medicaid populations in respective states, and

Whereas, the use of per capita income in the funding formula fails to accurately reflect the needs of the more populous states, and

Whereas, the use of a state's total taxable resources in the formula, as recommended by the General Accounting Office, would result in Florida receiving hundreds of millions of dollars more of federal funds in distribution, which amounts to its fair share, and

Whereas, according to the 2002 financial data of the Agency for Health Care Administration, uncompensated care in Florida's hospitals is growing at the rate of 12 to 13 percent per year, Medicaid caseloads grew almost 7 percent in the last fiscal year, and the costs of the Medicaid program continue to grow at an alarming rate, and

Whereas, because of the poor reimbursement rates offered to Florida's physicians due to the disparity created by the funding formula, many doctors have limited their provision of services for Medicaid patients and some have stopped treating Medicaid patients altogether, and

Whereas, this decline in the number of physicians who will treat Medicaid patients threatens the quality and availability of

health care to impoverished Floridians: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Congress of the United States is requested to pass legislation to change the existing formula for the distribution of Medicaid funds from a formula based on per capita income to one based on total taxable resources and the poverty rate, thereby providing a more equitable distribution of Medicaid funds to the states and bringing the Medicaid program closer to compliance with its stated legislative goal; and be it

Further resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON of Nebraska (for himself and Ms. COLLINS):

S. 2426. A bill to amend title XVIII of the Social Security Act to clarify the treatment of payment under the medicare program for clinical laboratory tests furnished by critical access hospitals; to the Committee on Finance.

By Mr. FEINGOLD:

S. 2427. A bill to amend title 10, United States Code, to improve transition assistance provided for members of the armed forces being discharged, released from active duty, or retired, and for other purposes; to the Committee on Armed Services.

By Mr. DODD (for himself, Mr. KENNEDY, Mr. REED, Mr. BINGAMAN, Mrs. CLINTON, Mr. SARBANES, Mr. REID, Mr. AKAKA, Mr. JOHNSON, Ms. STABENOW, Mr. CORZINE, Mr. LAUTENBERG, and Mr. DURBIN):

S. 2428. A bill to provide for educational opportunities for all students in State public school systems, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for Mr. DASCHLE (for himself and Mr. JOHNSON)):

S. 2429. A bill to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INOUE (for himself, Mr. HARKIN, and Mr. WARNER):

S. Con. Res. 109. A concurrent resolution commending the United States Institute of Peace on the occasion of its 20th anniversary and recognizing the Institute for its contribution to international conflict resolution; to the Committee on the Judiciary.

By Mr. CAMPBELL:

S. Con. Res. 110. A concurrent resolution expressing the sense of Congress in support of the ongoing work of the Organization for Security and Cooperation in Europe (OSCE) in combating anti-Semitism, racism, xeno-

phobia, discrimination, intolerance, and related violence; to the Committee on Foreign Relations.

By Mr. LUGAR (for himself and Mr. FEINGOLD):

S. Con. Res. 111. A concurrent resolution expressing the sense of the Congress that a commemorative stamp should be issued in honor of the centennial anniversary of Rotary International and its work to eradicate polio; to the Committee on Governmental Affairs.

ADDITIONAL COSPONSORS

S. 540

At the request of Mr. INHOFE, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 540, a bill to authorize the presentation of gold medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th Century in recognition of the service of those Native Americans to the United States.

S. 641

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 641, a bill to amend title 10, United States Code, to support the Federal Excess Personal Property program of the Forest Service by making it a priority of the Department of Defense to transfer to the Forest Service excess personal property of the Department of Defense that is suitable to be loaned to rural fire departments.

S. 1063

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1063, a bill to amend the Public Health Service Act to authorize the Commissioner of Food and Drugs to conduct oversight of any entity engaged in the recovery, screening, testing, processing, storage, or distribution of human tissue or human tissue-based products.

S. 1368

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 1368, a bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement.

S. 1614

At the request of Ms. CANTWELL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1614, a bill to designate a portion of White Salmon River as a component of the National Wild and Scenic Rivers System.

S. 1630

At the request of Mrs. CLINTON, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1630, a bill to facilitate nationwide

availability of 2-1-1 telephone service for information and referral services, and for other purposes.

S. 1666

At the request of Mr. COCHRAN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1666, a bill to amend the Public Health Service Act to establish comprehensive State diabetes control and prevention programs, and for other purposes.

S. 1733

At the request of Mr. KOHL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1733, a bill to authorize the Attorney General to award grants to States to develop and implement State court interpreter programs.

S. 1957

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1957, a bill to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, and for other purposes.

S. 2175

At the request of Mr. DODD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2175, a bill to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, and for other purposes.

S. 2179

At the request of Mr. BROWNBAC, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2179, a bill to posthumously award a Congressional Gold Medal to the Reverend Oliver L. Brown.

S. 2249

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2249, a bill to amend the Stewart B. McKinney Homeless Assistance Act to provide for emergency food and shelter.

S. 2262

At the request of Mr. BINGAMAN, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2262, a bill to provide for the establishment of campaign medals to be awarded to members of the Armed Forces who participate in Operation Enduring Freedom or Operation Iraqi Freedom.

S. 2324

At the request of Mr. CHAMBLISS, the names of the Senator from Nevada (Mr. REID) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 2324, a bill to extend the deadline on the use of technology

standards for the passports of visa waiver participants.

S. 2336

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2336, a bill to expand access to preventive health care services and education programs that help reduce unintended pregnancy, reduce infection with sexually transmitted disease, and reduce the number of abortions.

S. 2363

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2363, a bill to revise and extend the Boys and Girls Clubs of America.

S. 2406

At the request of Mrs. CLINTON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2406, a bill to promote the reliability of the electric transmission grid through the Cross-Sound Cable.

S. CON. RES. 81

At the request of Mrs. FEINSTEIN, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Con. Res. 81, a concurrent resolution expressing the deep concern of Congress regarding the failure of the Islamic Republic of Iran to adhere to its obligations under a safeguards agreement with the International Atomic Energy Agency and the engagement by Iran in activities that appear to be designed to develop nuclear weapons.

S. CON. RES. 103

At the request of Mr. WARNER, his name was added as a cosponsor of S. Con. Res. 103, a concurrent resolution honoring the contribution of the women, symbolized by "Rosie the Riveter", who served on the homefront during World War II, and for other purposes.

S. RES. 317

At the request of Mr. HAGEL, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. Res. 317, a resolution recognizing the importance of increasing awareness of autism spectrum disorders, supporting programs for increased research and improved treatment of autism, and improving training and support for individuals with autism and those who care for individuals with autism.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON of Nebraska (for himself and Ms. COLLINS):

S. 2426. A bill to amend title XVIII of the Social Security Act to clarify the treatment of payment under the Medicare program for clinical laboratory tests furnished by critical access hospitals; to the Committee on Finance.

Mr. NELSON of Nebraska. Mr. President, today I introduce legislation that will overturn a new regulation that is putting critical access hospitals (CAH) at risk by arbitrarily lowering the Medicare reimbursement for laboratory services. Sixty rural hospitals in Nebraska will be negatively impacted unless this legislation is reversed.

This legislation would repeal a Center for Medicare and Medicaid Services' (CMS) regulation that would prohibit critical access hospitals from being reimbursed at-cost for laboratory services, unless patients are "physically present in a critical access hospital" when laboratory specimens are collected. Many CAHs provide laboratory services in rural health clinics (RHCs) and nursing homes in smaller, neighboring communities, as well as in home-health settings; however, the elimination of cost-based reimbursements may make it prohibitive for them to continue offering off-site laboratory testing. In short, under the new regulation, lab services would not be reimbursed by CMS unless the patient is at the facility where testing will occur.

This change jeopardizes rural Americans' access to care by imposing an additional burden on the frail elderly by requiring them to visit the hospital to get simple lab tests done. The additional time and expense incurred by the patient is unnecessary if the CAH is willing and able to conduct tests at the point of patient care and transport it back to the hospital for analysis.

Congress created the CAH program in 1997 to ensure that those in isolated, rural communities have access to health care. To protect the viability of these hospitals, often a community's only source of vital health care services, Congress established cost-based reimbursement for Medicare inpatient and outpatient services—regardless of where the services are provided. The new regulation would fundamentally alter this well-established practice.

We have tried to work with CMS to change the rule. In November of 2003, I was joined by 28 Senators in a bipartisan letter to the Administrator of CMS asking for his assistance in constructing a rule that does not penalize CAHs for offering off-site laboratory services. Unfortunately, CMS responded that the rule would stay intact.

I am pleased to be joined in this effort by Senator SUSAN COLLINS. Senator COLLINS has been a strong advocate for rural health care, and I look forward to working together on this legislation.

The Nebraska critical access hospitals affected by the regulation are:

Harlan County Health System in Alma, Fillmore County Hospital in Geneva, Pawnee County Memorial Hospital in Pawnee City, Niobrara Valley Hospital Corporation in Lynch, Thayer County Health Services in Hebron, Kimball County Hospital in Kimball, Kearney County Health Services/Hospital in Minden, Saunders County Health Services in Wahoo, Henderson Health Care Services in