## 103D CONGRESS 2D SESSION

## H. R. 5037

To establish a Bipartisan Health Care Reform Commission to analyze and make recommendations concerning health care reform.

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 1994

Mr. Gekas introduced the following bill; which was referred jointly to the Committees on Energy and Commerce, Ways and Means, Armed Services, Post Office and Civil Service, Education and Labor, Veterans' Affairs, and Rules

## A BILL

To establish a Bipartisan Health Care Reform Commission to analyze and make recommendations concerning health care reform.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Bipartisan Health
- 5 Care Reform Commission Act of 1994".
- 6 SEC. 2. ESTABLISHMENT OF COMMISSION.
- 7 (a) ESTABLISHMENT.—There is established an inde-
- 8 pendent commission to be known as the Bipartisan Health

I	Care Reform Commission (in this Act referred to as the
2	"Commission").
3	(b) Appointment.—
4	(1) IN GENERAL.—The Commission shall con-
5	sist of—
6	(A) 3 members appointed by the President,
7	not more than 2 of whom may be members of
8	the same political party;
9	(B) 2 members appointed by the Majority
10	Leader of the Senate;
11	(C) 2 members appointed by the Minority
12	Leader of the Senate;
13	(D) 2 members appointed by the Majority
14	Leader of the House of Representatives; and
15	(E) 2 members appointed by the Minority
16	Leader of the House of Representatives.
17	(2) QUALIFICATIONS OF MEMBERS.—Members
18	shall be appointed on the basis of their expertise and
19	national recognition in the fields of health econom-
20	ics, provider reimbursement, health insurance, health
21	benefits design, and related fields. No Member of
22	Congress may be appointed to serve as a member of
23	the Commission.
24	(c) Term.—Members of the Commission shall be ap-
25	pointed not later than 30 days after the date of the enact-

- 1 ment of this Act and shall serve for the life of the Commis-
- 2 sion.
- 3 (d) VACANCY.—A vacancy in the Commission shall
- 4 not affect its powers, but shall be filled in the same man-
- 5 ner as the original appointment.
- 6 (e) Availability of Funds.—The Secretary of
- 7 Health and Human Services shall make available, from
- 8 amounts appropriated to the Secretary, such staff and
- 9 funds as may be necessary to carry out the work of the
- 10 Commission.
- 11 (f) No Compensation Except Travel Ex-
- 12 PENSES.—Members of the Commission shall serve without
- 13 compensation, but the Secretary of Health and Human
- 14 Services shall provide that each member shall receive trav-
- 15 el expenses, including per diem in lieu of subsistence, in
- 16 accordance with sections 5702 and 5703 of title 5, United
- 17 States Code.
- 18 (g) QUORUM; CHAIRMAN.—Six members of the Com-
- 19 mission shall constitute a quorum. The President shall
- 20 designate one member of the Commission to serve as
- 21 chairman.
- 22 SEC. 3. RESPONSIBILITIES.
- 23 (a) Analyses and Recommendations.—The Com-
- 24 mission shall—

- 1 (1) conduct an analysis of the health care sys-2 tems of the States, as well as proposed or enacted 3 reforms of such systems;
  - (2) conduct an analysis of the problems relating to programs and policies of the Federal Government relating to health care, including Federal health insurance programs (such as the medicare and medicaid programs), health programs of the various Departments, and tax policies as they relate to health care and health insurance;
    - (3) analyze private sector health systems, including various employer plans and innovative delivery systems; and
  - (4) make recommendations on reforms that the Congress should consider in response to the findings of the analyses.
- 17 (b) HEARINGS.—The Commission shall hold at least
  18 5 public hearings. The topics of the hearings shall be es19 tablished in consultation with the officials that appointed
  20 members to the Commission.
- (c) Report.—Not later than April 30, 1995, the Commission shall submit a report to the Congress on the state of health care in the United States. Such report shall include analyses of the following issues:

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- 1 (1) The rate of growth in health care costs by 2 type of provider, by type of payer, and by State.
  - (2) The utility of various mechanisms to empower purchasers of health care with information about comparative cost, quality, and access, including the effect of such information on patient's behavior in the medical marketplace.
    - (3) The success or failure of different types of group health plans, such as plans that use medical savings accounts, managed care plans, plans offered through voluntary purchasing cooperatives, and traditional indemnity plans, in cost, quality, and access.
    - (4) The success or failure of various Medicaid reform proposals, including the use of managed care, the use of vouchers to permit purchase of private insurance, and prioritization of benefits.
- 17 (d) LEGISLATIVE PROPOSAL.—If the Commission 18 recommends changes which requires legislation to imple-19 ment, the Commission shall include in its report under 20 subsection (c) a detailed legislative proposal providing for 21 implementation of the recommendations.
- 22 SEC. 4. CONSIDERATION OF RECOMMENDATIONS.
- 23 (a) Introduction and Referral.—
- 24 (1) IN GENERAL.—If the report of the Commis-25 sion under section 3—

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- 1 (A) includes a detailed legislative proposal 2 under section 3(d), and
  - (B) is accompanied by a statement provided by the Director of the Congressional Budget Office under subsection (h) that the enactment of the proposal will not result in any increase in the Federal deficit in each of the 10 fiscal years beginning after the date of submittal of the report,

the majority leader (or the leader's designee) in each House shall introduce (by request and not later than 7 days after the date of receipt by Congress of the report) the legislative proposal as a bill. The title of that bill shall be "A bill to carry out the recommendations of the Bipartisan Health Care Reform Commission.".

- (2) Referral.—That bill shall be referred on the date of introduction to the appropriate committee (or committees) in accordance with rules of the respective Houses.
- 21 (b) DISCHARGE DEADLINE.—If any committee to 22 which the bill is referred does not report the bill by the 23 end of the 45-day period beginning on the date the bill 24 was referred to the committee, the committee shall be

- 1 automatically discharged from further consideration of the
- 2 bill as of the end of such period.
- 3 (c) FLOOR CONSIDERATION.—
- (1) House of representatives.—For the 4 purpose of expediting consideration and passage of 5 a bill reported or discharged under this section, the 6 7 Committee on Rules of the House of Representatives shall report a privileged resolution providing for the 8 consideration of the bill and amendments thereto 9 under an open rule and for a period of unlimited de-10 11 bate before the consideration of amendments to the 12 bill. If such a bill differs from the recommendation of the Commission, any such resolution shall make 13 14 in order an amendment consisting of the text of the 15 Commission's recommendations.
- 16 (2) SENATE.—[LANGUAGE TO BE IN-17 SERTED LATER]
- 18 (d) FINAL PASSAGE.—A vote on final passage of the
- 19 bill shall be taken in a House not later than the end of
- 20 the 15-day period beginning on the date on which the mo-
- 21 tion to proceed to its consideration in that House has been
- 22 approved.
- 23 (e) Special Rules.—If the House of Representa-
- 24 tives approves a bill and the Senate approves a bill the
- 25 text of which is identical to the text of the bill approved

- 1 by the House of Representatives, the Senate is deemed
- 2 to have approved the bill approved by the House of Rep-
- 3 resentatives, effective on the later of—
- 4 (1) the date of approval of a bill in the Senate,
- 5 or
- 6 (2) the date the Senate receives a message from
- 7 the House of Representatives announcing that the
- 8 House has passed the bill.
- 9 (f) Rules of House of Representatives and
- 10 Senate.—This section is enacted by the Congress—
- 11 (1) as an exercise of the rulemaking power of
- the House of Representatives and of the Senate, re-
- spectively, or of that House to which they specifi-
- cally apply and such rules supersede other rules only
- to the extent that they are inconsistent therewith,
- 16 and
- 17 (2) with full recognition of the constitutional
- right of either House to change such rules (so far
- as relating to such House) at any time, in the same
- 20 manner and to the same extent as in the case of any
- 21 other rule of that House.
- 22 (g) NOT INCLUDING CERTAIN DAYS.—Days on which
- 23 a House of Congress is not in session because of an ad-
- 24 journment of more than 3 days shall be excluded in the

- 1 computation of any number of days in a period under this
- 2 section with respect to that House.
- 3 (h) Congressional Budget Office Determina-
- 4 TIONS.—The Director of the Congressional Budget Office,
- 5 upon request of the Commission or an appropriate com-
- 6 mittee, shall—
- 7 (1) review any bill to be proposed by the Com-
- 8 mission or the committee to determine if the enact-
- 9 ment of the bill would result in any increase in the
- Federal deficit in any of the 10 fiscal years begin-
- 11 ning after the date on which the request is made,
- 12 and
- 13 (2) provide a written statement of such deter-
- mination.

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