The Senator from New Jersey [Mr. LAUTENBERG] proposes amendments numbered 2204 and 2205.

The amendments are as follows:

AMENDMENT NO. 2204

(Purpose: To express the sense of the Senate regarding the establishment of a national background check system for long-term care workers)

At the end of title III add the following:

SEC. ___. SENSE OF THE SENATE REGARDING THE ESTABLISHMENT OF A NATIONAL BACKGROUND CHECK SYSTEM FOR LONG-TERM CARE WORKERS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Over 43 percent of Americans over the age of 65 are likely to spend time in a nursing home.

(2) Home health care is the fastest growing portion of the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), with an average annual growth rate of 32 percent since 1989.

(3) A 1997 report from State Long-Term Care Ombudsmen assisted under the Older Americans Act of 1965 indicated that in 29 States surveyed, 7,043 cases of abuse, gross neglect, or exploitation occurred in nursing homes and board and care facilities.

(4) A random sample survey of nursing home staff found that 10 percent of the staff admitted committing at least 1 act of physical abuse in the preceding year.

(5) Although the majority of long-term care facilities do an excellent job in caring for elderly and disabled patients, incidents of abuse and neglect do occur at an unacceptable rate and are not limited to nursing homes alone.

(6) Most long-term care facilities do not conduct both Federal and State criminal background checks on prospective employees.

(7) Most State nurse aide abuse registries are limited to nursing home aides, thereby failing to cover home health and hospice aides.

(8) Current State nurse aide abuse registries are inadequate to screen out abusive long-term care workers because no national system is in place to track abusers from State to State and facility to facility.

(9) Currently, 29 States have enacted varying forms of criminal background check requirements for prospective long-term care employees. However current Federal and State safeguards are inadequate because there is little or no information sharing between States about known abusers.

(10) Many facilities would choose to conduct background checks on prospective employees if an efficient, accurate, and cost-effective national system existed.

(11) The impending retirement of the baby boom generation will greatly increase the demand and need for quality long-term care.

(12) It is incumbent on Congress and the President to ensure that patients receiving care under the medicare and medicaid programs (42 U.S.C. 1395 et seq.; 1396 et seq.) are protected from abuse, neglect, and mistreatment.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this concurrent resolution on the budget assume that—

(1) funds should be directed toward the establishment of a national background check system for long-term care workers who participate in the medicare and medicaid programs (42 U.S.C. 1395 et seq.; 1396 et seq.);

(2) such a system would include both a national registry of abusive long-term care workers and a requirement for a Federal criminal background check before such workers are employed to provide long-term care; and

(3) such a system would be created with ample input and comment from representatives of the Department of Health and Human Services, State government, law enforcement, the nursing home and home health industries, patient and consumer advocates, and advocates for long-term care workers.

AMENDMENT NO. 2205

(Purpose: To express the sense of Congress regarding the right to affordable, high-quality health care for seniors)

At the end of title III, insert the following:

SEC. ___. FINDINGS AND SENSE OF CONGRESS REGARDING AFFORDABLE, HIGH-QUALITY HEALTH CARE FOR SENIORS.

(a) FINDINGS.—Congress finds the following:

(1) Seniors deserve affordable, high quality health care.

(2) The medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) has made health care affordable for millions of seniors.

(3) Beneficiaries under the medicare program deserve to know that such program will cover the benefits that they are currently entitled to.

(4) Beneficiaries under the medicare program can pay out-of-pocket for health care services whenever they—

(A) do not want a claim for reimbursement for such services submitted to such program; or

(B) want or need to obtain health care services that such program does not cover.

(5) Beneficiaries under the medicare program can use doctors who do not receive any reimbursement under such program.

(6) Close to 75 percent of seniors have annual incomes below $25,000, including 4 percent who have annual incomes below $5,000, making any additional out-of-pocket costs for health care services extremely burdensome.

(7) Very few beneficiaries under the medicare program report having difficulty obtaining access to a physician who accepts reimbursement under such program.

(8) Allowing private contracting on a claim-by-claim basis under the medicare program would impose significant out-of-pocket costs on beneficiaries under such program.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the assumptions underlying the functional totals in this resolution assume that seniors have the right to affordable, high-quality health care and that they have the right to choose their doctors, and that no change should be made to the medicare program that could—

(1) impose unreasonable and unpredictable out-of-pocket costs for seniors or erode the benefits that the 38,000,000 beneficiaries under the medicare program are entitled to;

(2) compromise the efforts of the Secretary of Health and Human Services to screen inappropriate or fraudulent claims for reimbursement under such program; and

(3) allow unscrupulous providers under such program to bill twice for the same services.

Mr. LAUTENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I ask unanimous consent that a vote occur on or in relation to the Kyl amendment at 12 noon, Wednesday, April 1, and no amendments be in order to the Kyl amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. I announce on behalf of the majority leader there will be no further votes this evening.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 1998

The PRESIDING OFFICER. Under the order of March 26, 1998, the Senate has received H.R. 3579, the supplemental appropriations bill, recently passed by the House. All after the enacting clause of H.R. 3579 is stricken and the text of S. 1768, as amended, is inserted in lieu thereof; the House bill is considered read a third time and passed; the Senate insists on its amendment, requests a conference with the House, and the Chair appoints the following conferees.

The Presiding Officer (Mr. BROWNBACK) appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CAMPBELL, Mr. CRAIG, Mr. FAIRCLOTH, Mrs. HUTCHISON, Mr. BYRD, Mr. INOUYE, Mr. HOLLINGS, Mr. LEAHY, Mr. BUMPERS, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, and Mrs. BOXER conferees on the part of the Senate.

Mr. GORTON. Does the Presiding Officer have any additional appointments? If not, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE UNIVERSITY OF TENNESSEE LADY VOLUNTEERS

Mr. FRIST. Mr. President, on this past Sunday night history was made, perfection was attained, and a dynasty was firmly established in women's collegiate basketball. It is with great Tennessee pride that I salute the 1998 NCAA National Championship Lady Vols of the University of Tennessee.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 203, submitted earlier today by myself and Senator THOMPSON.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 203) expressing the sense of the Senate that the University of