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SENATE

{ REPORT
{ 105-388

UNITED STATES PARK POLICE

OCTOBER 9 (legislative day, OCTOBER 2), 1998.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 2247]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2247) to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 2247 is to amend section 12(e) of the Act of September 1, 1916 to allow the National Park Service to pay medical bills, directly to medical providers, for services rendered for United States Park Police members who become injured or ill in the performance of their duties.

BACKGROUND AND NEED

The District of Columbia (District) pays all medical expenses for services rendered for United States Park Police officers who become injured or ill in the performance of their duties. The National Park Service then reimburses the District for medical payments made on behalf of the Park Police. Fiscal constraints experienced by the District have resulted in untimely payments of these expenses. Consequently, some Park Police officers have been denied treatment and others have had their credit ratings adversely affected. Medical vendors for officers, in the Washington metropolitan area, have submitted payment requests to the District of Columbia up to six times before the bills were paid.

The District of Columbia is also responsible for paying prescription benefits for Park Police, and then seeking reimbursement from the National Park Service. Recently, Metropolitan Police officials informed the Park Police that no pharmaceutical vendors would honor prescriptions written by the Police and Fire Clinic because of lack of payment by the D.C. Government.

LEGISLATIVE HISTORY

S. 2247 was introduced June 26, 1998 by Senator Murkowski, at the request of the Administration, and referred to the Committee on Energy and Natural Resources. The Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on S. 2247 on September 17, 1998.

At its business meeting on September 24, 1998, the Committee on Energy and Natural Resources ordered S. 2247, favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 24, 1998, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 2247 as described herein.

SUMMARY OF S. 2247

S. 2247 amends the Act of September 1, 1916, section 12(e), to allow the National Park Service to pay medical providers directly for expenses incurred by the U.S. Park Police while on official duty.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advise of the Senate.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2247. The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of S. 2247, as ordered reported.

EXECUTIVE COMMUNICATIONS

S. 2247 was introduced at the request of the Administration. On March 11, 1998, the Department of the Interior transmitted a letter to the Energy and Natural Resources Committee requesting

that the bill be introduced and passed. A copy of the letter, and the testimony of the National Park Service follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, March 11, 1998.

Hon. ALBERT GORE, Jr.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft bill, "to permit the payment of medical expenses incurred by the U.S. Park Police in the performance of duty to be made directly by the National Park Service, and other purposes."

We recommend the bill be introduced, referred to the appropriate committee for consideration, and enacted.

The District of Columbia (District) is currently charged with paying all medical bills for services rendered for National Park Police members who become injured or ill in the performance of their duties. Subsequently, the National Park Service reimburses the District for medical payments made on behalf of the Park Police. Fiscal constraints experienced by the District have resulted in untimely payments of these expenses. Consequently, some Park Police members have been denied treatment and others have had their credit ratings adversely affected. This situation is untenable. It compromises the law enforcement capability of the Park Police and places an undue burden on Park Police employees. The enclosed draft legislation would amend the Act of September 1, 1916, section 12(e), to allow the National Park Service to make these payments directly to the medical providers. Amended language is urgently needed. We respectfully request that this draft legislation be expedited.

The Office of Management and Budget has advised that there is no objection to the enactment of the enclosed draft legislation from the standpoint of the Administration's program.

Sincerely,

DONALD BARRY,
Acting Assistant Secretary for Fish and Wildlife and Parks.

STATEMENT OF DESTRY JARVIS, ASSISTANT DIRECTOR, EXTERNAL AFFAIRS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 2247, a bill to permit the payment of medical expenses incurred by the United States Park Police in The performance of duty to be made directly by the National Park Service, and for other purposes.

The Administration submitted a proposal to Congress on March 11, 1998, to address this issue. Senator Murkowski introduced the legislation as S. 2247 on June 26, 1998. The language is identical to our proposal, and we strong support it.

In accordance with Title 4 District of Columbia Code 613 entitled "Payment of Medical Expenses—Active Members,"

the District of Columbia (District) is charged with the responsibility of paying all medical bills for services rendered for United States Park Police (USPP) members who become injured or ill in the performance of their duties. Subsequently, the National Park Service reimburses the District for medical payments on behalf of the USPP. There are presently 222 officers who are subject to medical services being provided under the auspices of 4 D.C. Code 613. Of these officers 162 are assigned to the Washington metropolitan area, 19 to our San Francisco Field Office, 24 to our New York Field Office, 8 to the Federal Law Enforcement Training Center in Brunswick, Georgia, and 9 to the various Park Service field areas.

Fiscal constraints experienced by the District over the last several years have resulted in untimely payment of these medical expenses. Consequently, some Park Police members have been denied treatment and others have had their credit ratings adversely affected.

Currently, the USPP has outstanding medical bills from 1995, 1996 and 1997, which the District has not paid. In the last two years, 6 officers in the Washington Metropolitan Area, along with 5 officers assigned to our field offices, have had their unpaid medical bills submitted by multiple vendors to collection agencies. We have one totally disabled retiree who is confined to a nursing home. His medical bills generally amount to between \$24,000 and \$27,000 per month. The District is normally about 2-3 months in arrears on these payments. All of this despite the readiness of the Park Service to reimburse the District for these payments.

The District has also tightened its procurement controls. It now requires a contract with a medical provider before payments can be made to such providers. Since the Park Police routinely use medical providers other than those with whom the District has contracts, many of our medical vendors' bills are sent to the District's Finance Office where they remain unpaid.

We view prompt payment of medical bills to be critical to the operation of the Park Police. We do not want to jeopardize medical services to our members, nor do we want their credit ratings to be marred due to circumstances beyond their control. The present situation is untenable. It compromises the law enforcement capability of the Park Police and places an undue burden on Park Police employees. The language contained in S. 2247 would amend the Act of September 1, 1916, section 12(e), to allow the Park Service to make these payments directly to the medical providers. This legislation is urgently needed, and we respectfully request favorable consideration of this issue.

Mr. Chairman, this concludes my remarks. I would be happy to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 2247, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman);

(Public Law 85-157, August 21, 1957)

Whenever any member shall become temporarily disabled by injury received or disease contracted in the performance of duty, to such an extent as to require medical or surgical services, other than such as can be rendered by the Mayor, or to require hospital treatment, the expense of such medical or surgical services, or hospital treatments, shall be paid by the District of Columbia; *in the case of Metropolitan Police members, or by the National Park Service in the case of United States Park Police*; but no such expense shall be paid except upon a certificate of the Mayor *in the case of Metropolitan Police members, or upon a certificate of the Chief, United States Park Police, in the case of United States Park Police members*; setting forth the necessity for such services of treatment and the nature of the injury or disease which rendered the same necessary.

