

Security Act, to choose a level that reflects a requirement that State plans for medical assistance under such title XIX provide for adequate reimbursement of physicians, providers of services, and suppliers furnishing items and services under the plan in the State.

The SPEAKER pro tempore. Under rule XXII, the gentleman from Texas (Mr. BENTSEN) and the gentleman from Florida (Mr. BILIRAKIS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say at the outset that in a couple of minutes I am going to move to withdraw this motion and I will tell my colleagues why, but I do want to take just a couple of minutes to talk about it.

Let me start out by saying what this motion would do is, in effect, would call on the conferees to reinstate what has been known as the Boren amendment which would require that States establish reasonable rates of reimbursement under the Medicaid program. As my colleagues know, the Boren amendment was repealed in the 1997 Balanced Budget Act, but we still find that in many cases for providers, both hospitals and individual medical providers, that the reimbursement rates under the Medicaid program by the States is not sufficient; and, in fact, a recent study found that in some cases those rates are as low as 65 percent of the comparable Medicare reimbursement rate. This is something that raises concerns when we consider that more than a third of the births in this country are funded through the Medicaid program and yet we have these low reimbursement rates.

My personal concern in this has to do in trying to stand up for my district and my State. The largest medical center in the world is in my congressional district with the largest children's, independent children's hospital, as well as another children's hospital and a very large public hospital system, where they have a very large, disproportionate share census that they have to deal with in not getting sufficient reimbursement. I think Members around the country would find that is true.

Mr. Speaker, as we know today the National Governors Association and the National Conference of State Legislators sent out letters with some questionable arguments against this motion, and I am not going to pursue it because I do not want to put Members on either side of the aisle in a difficult situation.

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Mr. Speaker, I will say this. Last week when the House considered the tax bill with the balanced budget revision that was in it, I would remind my Republican colleagues that that included an uptick in the reimbursement for managed care companies, for Medicare providers; and I actually joined

my Republican colleagues in voting for that. There were not a lot of Democrats who did, but I was one of the ones who did. I thought it could be a better bill, but I was willing to take what we could get at the time.

I guess what I want to say is what is good for the goose is good for the gander, and that we may want to take a look at the Medicare bill as well to see how we may want to make that a better program for the people who rely on the Medicaid program.

Now, let me just say with respect to what the Conference of State Legislatures said, and the governors. I think it is somewhat of a stretch for the Conference of State Legislatures to say that by going back to the Boren Amendment language that somehow they would not be able to move forward with the breast and cervical cancer bill that this House passed overwhelmingly and was signed into law by the President just last week, or the Ticket to Work program that was passed. I and others were cosponsors of both of those bills. I think that is a little bit of a red herring on their part. I do not, quite frankly, think this is an issue that we are going to deal with this year, but it is something that I think Members on both sides of the aisle do want to take a look at.

Mr. RODRIGUEZ. Mr. Speaker, I stand before you today in support of the motion to instruct conferees on H.R. 4577 by my friend and colleague, Representative KEN BENTSEN.

The Bentsen motion to instruct urges conferees to do the right thing by providing adequate funding levels for Medicaid.

We face a health crisis in our states because the Balanced Budget Act of 1997 put Medicaid rates too low.

Everyone is impacted: physicians, hospitals, home health providers, and nursing homes.

Many of the health care providers in my district and throughout my state face severe financial difficulties due to low Medicaid rates.

These Medicaid reimbursement reductions have especially hurt our nursing homes. The situation in Texas is a good example of why we need immediate action.

Today I released a special report prepared by the minority staff of the House Committee on Government Reform, "Nursing Home Conditions in Texas," which found widespread inadequacies—sometimes horrible situations—in our nursing homes.

In many nursing homes in Texas and across the country, our parents and grandparents suffer intolerable conditions.

More than half of the nursing homes in Texas had violations of federal health and safety standards that caused actual harm to residents, or placed them at risk of death or serious injury.

Another 29 percent of Texas nursing homes had violations that created potentially dangerous situations.

In other words, 4 out of 5 nursing homes in Texas violated federal health and safety standards during recent state inspections.

Why are the conditions so bad?

One reason is inadequate levels of staffing. In Texas, more than 90 percent of the homes do not have the minimal staffing levels recommended by the U.S. Department of Health and Human Services.

And why are staffing levels so low? Because the low level of funding makes it impossible for nursing homes to provide adequate care.

This Congress still has the opportunity to address these glaring problems. The Bentsen motion would be a bold step in defense of our most vulnerable seniors by requiring states to provide adequate reimbursements to all health care providers.

Mr. BENTSEN. With that, Mr. Speaker, I withdraw my motion to instruct.

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PARLIAMENTARY INQUIRIES

Mr. BARTON of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman will state it.

Mr. BARTON of Texas. Mr. Speaker, can the gentleman withdraw without unanimous consent?

The SPEAKER pro tempore. The gentleman can withdraw the motion to instruct without unanimous consent.

Mr. THOMAS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, since the gentleman introduced his motion and then spoke on his motion without an opportunity for other Members of the House to address the question, which some people would believe did not reflect fair play, would it be appropriate, for example, for the gentleman from Florida (Mr. BILIRAKIS) to ask unanimous consent to address the House for 5 minutes to provide some subject matter on the motion just withdrawn?

The SPEAKER pro tempore. The general practice of the House would be to seek a unanimous consent agreement to speak out of order for 1 minute.

(Mr. BILIRAKIS asked and was given permission to speak out of order for 1 minute.)

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OPPOSING MOTION TO INSTRUCT CONFEREES

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for allowing us the opportunity.

Mr. Speaker, this motion actually reverses a policy set in legislation enacted only 3 years ago, at the bipartisan request of our Nation's governors. Provisions to repeal the Boren Amendment were included in the 1997 Balanced Budget Act. That measure was approved by the House with the support of 193 Republicans and 153 Democrats, and it was signed into law by President Clinton.

I would also refer to remarks made by the President of the National Governors Association on August 8 of last year in St. Louis, Missouri, when he said, we have waived or eliminated scores of laws and regulations on Medicaid, including one we all wanted to get rid of, the so-called Boren Amendment.

As I intended to explain earlier, the proposal, Mr. Speaker, is unnecessary.