

any entity or officer, governing board member, employee, or contractor of the entity named, the civil action or proceeding shall be removed to the appropriate United States district court. The civil action or proceeding shall be stayed in such court until such court conducts a hearing, and makes a determination, as to the appropriate forum or procedure for the assertion of the claim for damages described in subsection (a) and issues an order consistent with such determination.”.

SEC. 7. APPLICATION OF COVERAGE TO MANAGED CARE PLANS.

Section 224 (42 U.S.C. 223) (as amended by section 6) is amended by adding at the end the following:

“(m)(1) An entity or officer, governing board member, employee, or contractor of an entity described in subsection (g)(1) shall, for purposes of this section, be deemed to be an employee of the Public Health Service with respect to services provided to individuals who are enrollees of a managed care plan if the entity contracts with such managed care plan for the provision of services.

“(2) Each managed care plan which enters into a contract with an entity described in subsection (g)(4) shall deem the entity and any officer, governing board member, employee, or contractor of the entity as meeting whatever malpractice coverage requirements such plan may require of contracting providers for a calendar year if such entity or officer, governing board member, employee, or contractor of the entity has been deemed to be an employee of the Public Health Service for purposes of this section for such calendar year. Any plan which is found by the Secretary on the record, after notice and an opportunity for a full and fair hearing, to have violated this subsection shall upon such finding cease, for a period to be determined by the Secretary, to receive and to be eligible to receive any Federal funds under titles XVIII or XIX of the Social Security Act.

“(3) For purposes of this subsection, the term ‘managed care plan’ shall mean health maintenance organizations and similar entities that contract at-risk with payors for the provision of health services or plan enrollees and which contract with providers (such as entities described in subsection (g)(4)) for the delivery of such services to plan enrollees.”.

SEC. 8. COVERAGE FOR PART-TIME PROVIDERS UNDER CONTRACTS.

Section 224(g)(5)(B) (42 U.S.C. 223(g)(5)(B)) is amended to read as follows:

“(B) in the case of an individual who normally performs an average of less than 32½ hours of services per week for the entity for the period of the contract, the individual is a licensed or certified provider of services in the fields of family practice, general internal medicine, general pediatrics, or obstetrics and gynecology.”.

SEC. 9. DUE PROCESS FOR LOSS OF COVERAGE.

Section 224(i)(1) (42 U.S.C. 233(i)(1)) is amended by striking “may determine, after notice and opportunity for a hearing” and inserting “may on the record determine, after notice and opportunity for a full and fair hearing”.

SEC. 10. AMOUNT OF RESERVE FUND.

Section 224(k)(2) (42 U.S.C. 223(k)(2)) is amended by striking “\$30,000,000” and inserting “\$10,000,000”.

TRIBUTE TO NATHAN H. BRIDGES WINNER OF RAIL SAFETY AWARD

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. FORD. Mr. Speaker, I would like to pay tribute to one of my constituents, Mr. Nathan H. Bridges of Memphis, TN who has been awarded the Harold F. Hammond Award for safety achievements in the railroad industry. Mr. Bridges, a motor car repairman for the Illinois Central Railroad in my congressional district, is responsible for the maintenance and repair of all track equipment for his maintenance-of-way work unit. Mr. Bridges, who has been chairman of the railroad's Southern Region engineering department safety committee since 1993, was selected from over 200,000 railroad workers. His work also enabled his company, the Illinois Central Railroad win for the fifth time the E.H. Harriman Memorial Award. The Harriman Award is given to railroad companies and their employees for achieving Federal Railroad Administration safety standards.

Secretary of Transportation Federico Pena noted this milestone saying: “Our statistics show that the rate of train accidents and rail employee injuries—along with the number of rail employee fatalities—were at their lowest levels in 1994.” Mr. Bridges and the superb employees of the Illinois Central Railroad in Memphis made a significant contribution to these safety statistics.

Mr. Speaker, Memphis, TN is known across this country as “America's Distribution Center.” Mr. Bridges dedicated service has done much to help our great city keep its reputation as a center for commerce and transportation. More important though is Mr. Bridges' dedication to safety. The number of lives saved by his commitment to safety cannot be quantified. Mr. Speaker, I would like to include a short biography of Mr. Bridges and a description of the award for the record and ask that the House of Representatives join me in honoring his contribution.

THE HAMMOND AWARD WINNER

Nathan H. Bridges

Nathan H. Bridges, who repairs track equipment for his maintenance-of-way unit of Illinois Central Railroad, is the Harold F. Hammond Safety Award winner.

Mr. Bridges is being recognized for his promotion of on-the-job safety awareness, an unselfish commitment to advancing safety knowledge at employee meetings and improving safety-related dialogue among employees and senior management of Illinois Central.

On his own time, Mr. Bridges produces a quarterly safety newsletter for distribution to fellow employees in IC's Southern Region, counsels schoolchildren on safe behavior near railroad tracks and enrolled in night courses on occupational safety even before IC's current tuition refund program was inaugurated.

A safety consultant who encountered Mr. Bridges on the job later remarked to Illinois Central's Southern Region superintendent that “if Illinois Central had other employees thinking like Nathan Bridges, solving safety problems would be a breeze.”

In nominating Mr. Bridges for the Hammond Award, Illinois Central's chief executive officer, Hunter Harrison, wrote that after Mr. Bridges was asked to take charge

of a superintendent's safety committee, “he immediately told everyone on the committee either to start contributing or resign and make room for someone who would. He assigned all the committee members research projects and had them write letters for a regional safety newsletter.”

Mr. Harrison added that in Mr. Bridges' continuing role as chairman of the superintendent's safety committee, he repeatedly has reminded track supervisors and even engineering superintendents that employee safety concerns are the first order of business on Illinois Central Railroad.

The Harold F. Hammond Safety Award, established in 1986, is awarded to an individual railroad employee who has demonstrated outstanding safety achievement during the preceding year.

CLEANUP OF THE ROCKY MOUNTAIN ARSENAL

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mrs. SCHROEDER. Mr. Speaker, one of the Nation's most notorious military environmental problems just took a big step forward. The World War II-era Rocky Mountain Arsenal, located in my district, manufactured and stored chemical munitions. It later leased land to Shell Chemical Co. for pesticide production. Thirty years of haphazard chemical disposal by both resulted in a surface and ground water mess that vexed Federal, military, State, and corporate leaders who faced complicated cleanup questions.

Many of those questions were answered with the release yesterday of a tentative conceptual cleanup strategy. I wish to submit into the record that agreement. It can be reviewed by a wide audience and can provide necessary background as this project seeks continued funding from a diminishing defense environmental restoration account.

The remarkable fact about this agreement is the 6-year, painstaking negotiations undertaken to get there. Bitter pills were swallowed by all. And days of fine tuning are still ahead. But the real winner is human health and the environment. I wish to applaud the negotiators who gave years of blood, sweat and tears to reach the following agreement.

Mr. Speaker, here follows a milestone.

ROCKY MOUNTAIN ARSENAL REMEDY NEGOTIATIONS, EMBASSY SUITES HOTEL, SE DENVER, MAY 9-11, 1995

CONCEPTUAL AGREEMENT COMPONENTS

(Please refer to attached map for site locations.)

Background

This proposal represents a tentative conceptual agreement between the U.S. Army, Shell Oil Company, the state of Colorado, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service for the cleanup of the Rocky Mountain Arsenal. The conceptual remedy was reached based upon ongoing discussions during the past six months, which included stakeholders, and on the past studies performed at the Arsenal as part of the Superfund process. This tentative conceptual agreement is contingent on the successful resolution of issues yet to be resolved by the parties.

Timetable for Ongoing Process

Assuming continued resolution of issues between the parties, a new Detailed Analysis