

# EXTENSIONS OF REMARKS

## FEDERAL EMPLOYEE HEALTH CARE PROTECTION ACT OF 1997

**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 10, 1997*

Mr. BURTON of Indiana. Mr. Speaker, I am pleased to introduce today, H.R. 1836, the Federal Employee Health Care Protection Act of 1997. This is significant legislation for our Federal employees and taxpayers because it will help strengthen the integrity and standards of the Federal Employees Health Benefit [FEHB] Program, and allow it to maintain its reputation as a high quality and cost-effective program. H.R. 1836 includes three main provisions that will improve and protect the FEHB Program. First, it gives OPM better tools to deal swiftly with health care providers who try to defraud or abuse the FEHB Program, second, it requires full disclosure of discounted rate agreements between health care providers and health benefit carriers to prevent the fraudulent use of such discounts, and third, it provides the same Federal health benefits coverage for Federal Deposit Insurance Corporation and Federal Reserve Board employees that other Federal employees have.

The FEHB Program is the largest employer-sponsored health insurance system in the country. In 1997, the \$16 billion FEHB Program will insure more than 9 million Federal employees, retirees, and their dependents. Partial portability, no preexisting condition limitation, and an annual open enrollment period are facets of the FEHB Program that make it an extremely attractive health care system. The free enterprise-based program has effectively contained costs through private sector competition with limited governmental intervention. The program is often cited as a model of efficiency and effectiveness that the private sector and the public sector should attempt to replicate. The bill I introduced today will improve the program and its performance, without changing the market principles that are the key to the program's success.

One of the most important provisions of this bill addresses the debarment of health care providers engaging in fraudulent practices. This provision would strengthen the ability of OPM to bar FEHB Program participation by, and impose monetary penalties on, health care providers in the FEHB Program who engage in professional or financial misconduct. Under this bill, the administrative sanctions authority would conform more closely with the Medicare Program, particularly with regard to grounds for imposing sanctions and the general availability of post-termination appellant rights.

Another important component of this bill is that it would provide consistent health benefit coverage for employees of the Federal Reserve Board [FED] and the Federal Deposit Insurance Corporation [FDIC]. A number of years ago the FED decided to drop out of the FEHB Program and offer its employees a sep-

arate health care plan. Then, in 1993, the FED elected to abandon this health care experiment and offer its employees only FEHB health care options. However, under current law, all employees must have 5 years of continuous enrollment in the FEHB Program to carry their health benefit coverage into retirement. As a result a number of employees who retired during the years when the FED had its own health care system, and some employees currently approaching retirement, are not eligible for FEHB coverage. The FDIC faces a similar situation because it plans to eliminate its alternative health insurance plan at the end of 1997, and go with FEHB options. Without this legislation, the FDIC and the Board will have to establish a non-FEHB plan for those employees who are ineligible for coverage. This would be administratively burdensome and costly to these Federal agencies and, ultimately, to taxpayers. Under this proposal, these ineligible employees would be offered FEHB coverage at no additional cost to the Government.

The third key provision in this bill would require FEHB carriers and their subcontractors to disclose in writing any discounted rate contracts with health care providers. If carriers do not include the required disclosure, they will be prohibited from accessing discounts. I believe that this language is necessary because it will eliminate the practice of silent preferred provider networks [PPO's]. Under conventional PPO arrangements, networks offer enrollees discounted fees to use network providers, or preferred providers. However, under silent PPO's, these discounts are being applied to patients that are not contractually covered by the PPO network. I have great concerns over the ethics and legality of the practice of these types of organizations. The effect of such practices is to reduce carriers' free market bargaining power. It also undermines the value of, and jeopardizes the expansion of, legitimate PPO networks. According to the American Hospital Association, discounts paid to silent PPO's may account for as much as \$1 billion in costs for providers throughout the industry. This type of abusive practice should not be allowed in the health care arena, and I believe that the language in this bill will address this problem and protect providers, patients, and legitimate PPO's.

I believe that the changes made in this legislative proposal are important to help improve and strengthen the FEHB Program. I urge my colleagues to join me in supporting this essential legislation.

STATEMENT BY PATRICK EDWARD HOULE, CANAAN MEMORIAL HIGH SCHOOL, REGARDING CENSORSHIP AND EDUCATION

**HON. BERNARD SANDERS**

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 10, 1997*

Mr. SANDERS. Mr. Speaker, for the benefit of my colleagues, I would like to have printed

in the RECORD this statement by a high school student from Canaan Memorial High School in Vermont, who was speaking at my recent town meeting on issues facing young people.

Mr. HOULE: Congressman Sanders, imagine if you will a world where you have personal choice and freedom to express your inner thoughts and soul through forms of art and media. It would be a world where if someone was offended, they would make the choice not to listen, but they would not try to suppress your right to express it. In this world everyone respects an individual's right to free expression and speech.

Recently K-Mart has said they refuse to sell CDS with offensive lyrics. This is blatant censorship. When someone tries to take away your right to hear something, it is censorship.

There have been many incidents in the United States recently in which censorship has become a factor. For example, in Arizona Newt Gingrich calls for the closing of the Flag Art Exhibit. In Florida a Cuban scholar's visit was canceled after a citizens protest. In Utah a printing company refused to reproduce photos for a women's magazine. In Michigan a "Where Do Queers Come From" exhibit at a local college was closed. And finally in Kentucky, "Blasphemous art" caused an outcry at the University of Kentucky. In school libraries Ernest Hemingway's novels are banned as are several good pieces of literature. Around the world films are banned and are censored. Film festivals and exhibitions are censored as well.

Our grounds for this censorship is broad and well-defined, but are speculative and opinionated. Unfortunately, opinions vary and freedom of speech is a right, but unfortunately rights are being ignored and opinions are preordained.

As you can see, censorship is alive and well in America where our First Amendment right is supposed to be enforced. It has gotten so bad around the world that the life of Salman Rushdie was threatened for writing *The Satanic Verses*. It's gotten so bad that we've had to turn to a porno king, Larry Flynt as a savior of the First Amendment right.

Basically what it comes down to is if it offends you, you can always turn the other cheek. Pornography even has its value. Some people just cannot live without their pornography, and if it was not for pornography they could be doing much worse things.

If you deny someone's right to see something or say something that they want to say, that eventually they are just going to explode.

I myself do not want a burned flag, but I think if someone wants to protest that way it should be allowed because I know myself I do not pledge allegiance to the flag, I pledge allegiance to the country.

In conclusion, one can censor a work of art but not the idea. The idea will fester and come out in a much more explosive, sometimes more violent way.

Thank you for your time, Congressman Sanders. We hope you help us fight for the cause in your position of leadership.

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