

EC-4874. A communication from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the report of a rule entitled, "Notice of Final Funding Priorities for Fiscal Years 1998-1999 for Certain Centers and Projects" received on May 6, 1998; to the Committee on Labor and Human Resources.

EC-4875. A communication from the Director of Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Radiology Devices; Classifications for Five Medical Image Management Devices" (Docket 96N-0320) received on May 6, 1998; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary:

Report to accompany the bill (S. 1723) to amend the Immigration and Nationality Act to assist the United States to remain competitive by increasing the access of United States' firms and institutions of higher education to skilled personnel and by expanding educational and training opportunities for American students and workers and for other purposes (Rept. No. 105-186).

By Mr. THOMPSON, from the Committee on Governmental Affairs, with amendments:

S. 1364: A bill to eliminate unnecessary and wasteful Federal reports (Rept. No. 105-187).

By Mr. THOMPSON, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 981: A bill to provide for analysis of major rules (Rept. No. 105-188).

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

S. 2060. An original bill to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes (Rept. No. 105-189).

By Mr. HATCH, from the Committee on the Judiciary: Report to accompany the bill (S. 2037) to amend title 17, United States Code, to implement the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, to provide limitations on copyright liability relating to material online, and for other purposes (Rept. No. 105-190).

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

S. 2057: An original bill to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 2058. An original bill to authorize appropriations for fiscal year 1999 for defense activities of the Department of Energy, and for other purposes.

S. 2059. An original bill to authorize appropriations for the fiscal year 1999 for military construction, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. THURMOND:

S. 2057. An original bill to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 2058. An original bill to authorize appropriations for fiscal year 1999 for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 2059. An original bill to authorize appropriations for the fiscal year 1999 for military construction, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 2060. An original bill to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. GRAHAM (for himself, Mr. CHAFEE, Mr. JOHNSON, Mr. HARKIN, and Mr. GRASSLEY):

S. 2061. A bill to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAHAM (for himself, Mr. CHAFEE, Mr. JOHNSON, Mr. HARKIN, and Mr. GRASSLEY):

S. 2061. A bill to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities; to the Committee on Finance.

NURSING HOME PATIENT PROTECTION ACT

Mr. GRAHAM. Mr. President, along with Senators CHAFEE, JOHNSON, GRASSLEY, and HARKIN, I will be introducing today the Nursing Home Patient Protection Act. This is legislation to protect our Nation's seniors from indiscriminate patient dumping from nursing homes.

Approximately one month ago, it looked like 93-year-old Adela Mongiovi might have to spend her 61st Mother's Day away from the assisted living facility that she had called home for the last four years.

At least that's what her son Nelson and daughter-in-law Gina feared when officials at the Rehabilitation and Health Care Center of Tampa told them that their Alzheimer's disease-afflicted mother would have to be relocated so that the nursing home could complete "renovations."

As the Mongiovis told me when I met with them and visited their mother in Tampa last month, the real story far exceeded their worst fears. The supposedly temporary relocation was actually a permanent eviction—a permanent eviction of all 52 residents whose housing and care were paid for by the Medicaid program.

The nursing home chain that owns the Tampa facility, and several others across the United States, wanted to purge its nursing homes of Medicaid

residents, ostensibly to take more private insurance payers and Medicare beneficiaries, which pay more per resident.

While this may have been a good financial decision in the short run, its effects on our Nation's senior citizens, if practiced on a widespread basis, would be nothing short of disastrous.

In an April 7, 1998, Wall Street Journal article, several nursing home executives argued that State governments and Congress are to blame for these evictions because they have set Medicaid reimbursement rates too low.

While Medicaid reimbursements to nursing homes may need to be revisited, playing Russian roulette with elderly patients' lives is hardly the way to send that message to Congress or to state legislatures. While I am willing to engage in a discussion as to the equity of nursing home reimbursement rates, I and my colleagues are not willing to allow nursing homes to dump patients indiscriminately.

The fact that some nursing home companies are willing to sacrifice elderly Americans for the sake of their own economic bottom line is bad enough. What is even worse is their attempt to evade blame for Medicaid evictions.

The starkest evidence of this shirking of responsibility is found in the shell game many companies play to justify evictions. Current law allows nursing homes to discharge patients for—among other reasons—inability to pay.

If a facility decreases its number of Medicaid beds, the State and Federal governments are no longer authorized to pay the affected residents' nursing home bills. The nursing home can then conveniently, and unceremoniously, dump its former Medicaid patients for—you guessed it—their inability to pay.

Evictions of nursing home residents have a devastating effect on the health and well-being of some of society's most vulnerable members.

A recent University of Southern California study indicated that those who are uprooted from their homes undergo a phenomenon known as "transfer trauma." For these seniors, the consequences of transfer trauma are stark. The death rate among seniors is 2 to 3 times higher than for individuals who receive continuous care.

Those of us who believe that our mothers, fathers, and grandparents are safe because Medicaid affects only low-income Americans, we need to think again.

A three-year stay in a nursing home can cost upwards of \$125,000. As a result of this extreme cost, nearly half of all nursing home residents who enter as private-paying patients exhaust their personal savings, lose their health insurance coverage during their stay, and become Medicaid beneficiaries. Medicaid is, for most retirees, the last refuge of financial support.

On April 10, the Florida Medicaid Bureau responded to evidence of Medicaid