

And should some kind of long-term agreement be reached, how will that be enforced? What role, if any, can we expect NATO to play to ensure long-term peace in Kosovo? That too remains unclear.

What is clear is that the actions we take in the next few weeks have implications for long-term peace not just in the province but throughout the Balkans. That's why it's in NATO's interest to act, and act with resolve. Unfortunately, the only resolve we see is to strike at the Serbs by air, but nothing more beyond that.

NATO needs to begin to look at these larger questions and soon if our resolve for peace will achieve results and be real over the long-term. It's in our interests to do so. We still risk the threat of a larger conflict in the region, involving Albania, Macedonia, Turkey, and Greece. We also put in jeopardy the progress we have made thus far to maintain peace in Bosnia.

Mr. President, we cannot and should not dictate the terms of any agreement between the Serbs and Kosovars, but NATO can insist—through force if necessary—that peace be achieved through cooperation, not conquest.

This, Mr. President, ought to be the U.S. policy. I thank the chair and yield the floor.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for up to 5 minutes.

Mr. DODD. Mr. President, first of all let me commend our colleague from Ohio. At some point today or tomorrow I also want to address this issue of Kosovo.

I will tell you that the expressions given by our colleague from Ohio are certainly appreciated by all. I think for most of our colleagues it is our sincere hope that we will not once again play this game with Mr. Milosevic as he has played it so effectively over the last few years with Bosnia, and now Kosovo, where the threat of retaliation causes some warm statements to be made, and once again we back off, and once again more people suffer terribly as a result of it.

#### MEDICARE HMO BENEFICIARY EMERGENCY RELIEF ACT OF 1998

Mr. DODD. Mr. President, last week, close to 400,000 older Americans and individuals with disabilities, representing some 300 counties and 18 States across this Nation, were notified by their Medicare health maintenance organizations that as of January 1, 1999, their insurers would be terminating their health coverage.

In my State of Connecticut, we were notified on Friday around 6 o'clock that 6,000 seniors would see their HMO, Oxford Health Plan, leave their communities. When added to earlier withdrawals from the market by other HMOs in Connecticut, this announcement means that more than 12,000 Connecticut Medicare beneficiaries will lose their present HMO providers.

One can only imagine the anxiety of seniors reading of the announcement in their newspapers or hearing on television that their HMO would not be there for them on January 1 and having no one to turn to, no one to ask questions of, with offices closed for the weekend. Even the Health Care Financing Administration, which regulates these HMOs, had not yet received the news.

Only three weeks earlier, two other HMOs in Connecticut notified their customers that they would be backing out of New London, Windham, and Tolland Counties, jeopardizing affordable Medicare coverage for about 6,000 seniors.

The precipitous withdrawal of managed care organizations from Medicare is a growing problem. Unless action is taken, on January 1, 1999 thousands of seniors will find themselves at forced to leave established relationships with their doctors and without affordable health care coverage.

I am fearful that with Congress adjourning later this week or early next week, and being out of session for the bulk of October, November, December, it may not be until January that we will again have the opportunity to do something about this.

I am going to be calling on the leadership today to enact an emergency piece of legislation, which I will be introducing today, to put a moratorium on HMOs leaving the Medicare market while we are not in session. This legislation will give us some time to see if we can't sort out this mess and prevent thousands more seniors from finding themselves without HMO coverage on January 1, 1999, a matter of weeks.

My hope is that the leadership will find some time to consider this and adopt it before we leave, hopefully on a bipartisan basis, to stop this serious problem we are seeing in my State and 17 other States around the country.

Mr. President, last Friday I also introduced legislation that deals with the broader issues underlying the recent withdrawals of Medicare HMOs from certain communities. Because it takes a comprehensive approach, I do not expect that this bill would be adopted before we leave. However, I would hope that for now we can at least agree on a narrowly defined moratorium which would at least give us time to find solutions to the larger problem.

Mr. President, I would like to briefly outline for my colleagues the provisions of the legislation I introduced last week. Specifically, the legislation would not allow a flat termination of coverage if there are other less drastic options available. In the case of the withdrawals of two HMOs in eastern Connecticut, after causing considerable distress to seniors with an announcement that they were leaving, the companies re-evaluated their positions in the face of strong pressure from the community, and said "Well, maybe there are some other options we hadn't

considered." This legislation will require they consider those other options first—before creating anxiety among our seniors.

Secondly, the legislation will stipulate that if a company maintains there are no other options but ending coverage, they must demonstrate that. In addition, the HMO would then be responsible for notifying consumers of what alternative coverage is available.

The legislation also requires that HMOs commit to serving seniors for more than just a year. Right now, HMOs are only required to contract on an annual basis. We would require them to make a 3-year commitment. It is important to keep in mind that we are talking about companies that have made the careful determination that it is in their financial interest to enter the Medicare market. These are companies that have extensively recruited seniors and convinced them to leave long-standing relationships with their health care providers to join their HMO and then, with very precipitous announcements, as we have seen in the last several weeks, they have left those communities.

Mr. President, this is a serious, serious problem that is going to get worse, in my view, if we don't take some steps. We passed similar legislation a number of years ago dealing with plant closings. We finally decided that having a company announce precipitously it is leaving, disrupting communities, disrupting the lives of their employees, is unwise and that we ought to adopt legislation that requires at least some advance notice so that communities and people can try to rearrange their lives.

I am suggesting parallel legislation to deal with Medicare HMOs. Here it is so important, particularly for our older Americans or disabled Americans, many of them living alone, who don't have the financial resources to hire lawyers and read through all of the morass of paperwork when it comes to finding a new HMO, that they be given adequate notice and provided with clear information about their options.

We are hopeful we can build some support for the idea of considering all options, having more advanced notice, and extending the contract term. If you are going to go out and try to entice people to sign up, it seems to me you have an obligation to stick with them for a while. Certainly just to make a decision that you are going to pull out of the area, with minimal notice, I think is wrong.

#### TRIBUTE TO FRED KRAL

Mr. DODD. Mr. President, I want to take a minute to talk about an individual in my State whom I only met for about 10 minutes, but who had a profound impact on my view of this situation. He is a man by the name of Fred Kral. He is a person who led, in many ways, I suppose, an ordinary life, but I think became sort of an extraordinary