

make the investment necessary to operate these vital facilities and protecting patients and their families from unfair treatment. The reality is that nursing homes are a business and it must be economically feasible for them to operate. However, once a nursing home accepts a patient they should fulfill their promise and allow the patient to remain a part of the nursing home community regardless of payment status.

This issue is of particular concern to me since Indiana seniors experienced this unfair treatment. Approximately sixty elderly patients from one nursing home facility in Indiana, Wildwood, were told to leave because of their method of payment. In some cases, after they had worked hard to save for their future and were forced to spend every dollar to support themselves in the nursing home. Even spending every dollar they saved did not ensure them security since, once that money was depleted and they received government assistance, they were told their money was not good enough to keep them in the facility.

Robyn Grant was the Indiana State Long-Term care Ombudsman for eight years. She recently testified on behalf of the National Citizens' Coalition for Nursing Home Reform before the House Subcommittee on Health and Environment in regard to this issue. Ms. Grant relayed the letter of a daughter of a resident who was evicted because they were paying with Medicaid. That woman wrote that "You have destroyed lives and emotions and torn apart families. Yes, many of these people though not blood related, considered their companions and friends as family. Your facility was their home. Physical and emotional health was gravely endangered by the insensitive actions of the nursing home company."

Current law must be changed so there is no propensity for seniors to be torn apart from their newly found families in the future.

Nursing homes should have the ability to choose what payment programs in which they will participate. However, if a facility decides to accept Medicaid patients, they must uphold the promise they made to those seniors. This bill would prevent a nursing home that decides to withdraw from the Medicaid program from evicting residents who were accepted prior to the facility's withdrawal. In addition, if a facility is

a private-pay only, it would be required to notify the resident upon her entrance to the facility that she could be evicted after her private funds were exhausted. The Nursing Home Resident Protection Amendments of 1999 would protect the 68% of nursing home residents who rely on Medicaid at some point during their stay. This bill will not cost anything, but will have a significant positive impact on the lives of seniors faced with the need to enter a nursing home.

We owe it to all our citizens to keep them informed and protected from discriminatory practices. This bill does that and I urge my colleagues to join us in turning this legislation into law.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 540) was considered read the third time and passed.

ORDERS FOR TUESDAY, MARCH 16, 1999

Mr. COCHRAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10:30 a.m. on Tuesday, March 16. I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved and the Senate then begin consideration of a resolution commending Senator KERREY on the 30th anniversary of the events leading to his receiving the Congressional Medal of Honor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I ask unanimous consent that the Kerrey resolution be considered under a 1-hour time limitation, divided between Senators HAGEL and EDWARDS, and that there be no amendments in order to the resolution or preamble.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I further ask unanimous consent that at 11:30 a.m., the Senate resume consideration of S. 257,

the missile defense bill, under the provisions of the unanimous consent agreement reached earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate stand in recess for the weekly party conferences to meet between the hours of 12:30 p.m. and 2:15 p.m. on Tuesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. COCHRAN. Mr. President, for the information of all Senators, the Senate will reconvene on Tuesday at 10:30 a.m. and begin 1 hour of debate on a resolution commending Senator KERREY of Nebraska. Following that debate, at 11:30 a.m., the Senate will resume consideration of the missile defense bill with a Cochran amendment pending regarding clarification of funding. Under the previous order, there will be 1 hour for debate on the amendment equally divided between the chairman and ranking member or their designees. The Senate will recess from 12:30 p.m. until 2:15 p.m. for the weekly party luncheons, and immediately upon reconvening at 2:15 p.m. will proceed to a vote on or in relation to the Cochran amendment. Further rollcall votes are expected throughout tomorrow's session in relation to the missile defense bill in the hope of making progress on this important legislation.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. COCHRAN. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:33 p.m., adjourned until Tuesday, March 16, 1999, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 15, 1999:

DEPARTMENT OF JUSTICE

RAYMOND C. FISHER, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE DAVID R. THOMPSON, RETIRED.

ADALBERTO JOSE JORDAN, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE LENORE CARRERO NESBITT, RETIRED.