

else who has an ear infection, for example. A woman needs to have access to the OB/GYN, and this amendment Senator ROBB and I and the other Democratic women are offering assures the woman that access.

Secondly, it deals with the so-called drive-through mastectomy legislation where too many HMOs today are telling a woman after this radical surgery—

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. MURRAY. I ask unanimous consent for an additional 30 seconds.

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

Mrs. MURRAY. Too many women today are told they need to go home before they are ready to take care of themselves or their families. This amendment doesn't designate a time. It says the doctor will determine whether that woman is ready to go home after this radical surgery.

I commend my colleagues for this issue. I urge the Members of the Senate to stand up, finally, for women's health and vote for this amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland.

Ms. MIKULSKI. I thank the Chair.

Mr. President, I thank Senator Robb and Senator KENNEDY for their support of this very crucial legislation. We, the women of the Senate, really turn to men we call the "Galahads," who have stood with us and been advocates on very important issues concerning women's health.

Often we have had bipartisan support. I ask today that the good men on the other side of the aisle come together and support the ROBB amendment. We have raced for the cure together. We have done it on a bipartisan basis. Certainly, today we could pass this amendment. I challenge the other party to vote for this amendment because what it will do is absolutely save lives and save misery.

There are many things that a woman faces in her life, but one of the most terrible things that she fears is that she will go to visit her doctor and find out from her mammogram and her physician that she has breast cancer. The worst thing after that is that she needs a mastectomy. Make no mistake, a mastectomy is an amputation, and it has all of the horrible, terrible consequences of having an amputation. Therefore, when the woman is told she can come in and only stay a few hours—after this significant surgery that changes her body, changes the relationships in her family, she is told she is supposed to call a cab and go back home; it only adds to the trauma for her.

Well, the ROBB amendment, which many of us support, really says that it is the doctor and the patient that decides how long a woman should stay in the hospital after she has had the surgery. Certainly, we should leave this to the doctor and to the patient. An 80

year old is different than a 38 year old. This legislation parallels the D'AMATO legislation that had such tremendous support on both sides of the aisle. I say to my colleagues, if we are going to race for the cure, let's race to support this amendment.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, Senator BYRD is on his way here. He has asked for 1 minute. If the Senator from Oklahoma would indulge me, he should be here momentarily. I ask unanimous consent that Senator BYRD be entitled to 1 minute when he gets here, which should be momentarily.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD. Mr. President, how much time remains before the recess?

The PRESIDING OFFICER. The unanimous consent allows 1 minute.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak for not to exceed 3 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BYRD. Mr. President, I am pleased that the Senate is finally considering managed care reform legislation. I believe that the Democratic version of the Patients' Bill of Rights is the right vehicle on which to bring reform to the nation.

Our colleague from Virginia, Mr. ROBB, has offered an amendment that highlights an important aspect of managed care that needs to be fine-tuned, and that is women's access to health care. This amendment would allow a woman to designate her obstetrician/gynecologist (ob/gyn) as her primary care provider and to seek care from her ob/gyn without needing to get preauthorization from the plan or from her primary care provider. Even though many women consider their ob/gyn as their regular doctor, a number of plans require women to first see their primary care provider before seeing their ob/gyn. This means that a costly and potentially dangerous level of delay is built into the system for women. This amendment would allow a woman's ob/gyn to refer her to other specialists and order tests without jumping through the additional hoop of visiting the general practitioner.

This amendment would also address the care a woman receives when undergoing the traumatic surgery of mastectomy. This provision would leave the decision about how long a woman would stay in the hospital following a mastectomy up to the physician and the woman. Some plans have required that this major surgery be done on an outpatient basis. In other instances, women have been sent home shortly after the procedure with tubes still in

their bodies and still feeling the effects of anesthesia. This should not be allowed to happen. Plans should not put concern about costs before the well-being of women.

The Republican bill does not provide women with sufficient access to care. Plans would not be required to allow women to choose their ob/gyn as their primary care provider. In addition, the Republican bill would allow health plans to limit women's direct access to her ob/gyn to routine care which could potentially be defined by a plan as one visit a year. In addition, "drive-through mastectomies" would not be prevented under their bill.

Mr. President, the Robb amendment contains commonsense protections women need and deserve. I urge my colleagues to support this important amendment.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:36 p.m., recessed until 2:16 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. BENNETT).

The PRESIDING OFFICER. Under the previous order, the Senator from New Hampshire is recognized to speak for up to 45 minutes.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SMITH of New Hampshire. Mr. President, I ask I be recognized for a period of time, approximately 45 minutes.

The PRESIDING OFFICER. Under the order, the Senator from New Hampshire is recognized for 45 minutes.

#### LEAVING THE REPUBLICAN PARTY, A DECISION OF CONSCIENCE

Mr. SMITH of New Hampshire. Mr. President, as many of you know, it has been a very difficult period of time for me these past several days. I want to recognize the sacrifices of my wife and three children over the past several weeks as I agonized through this gut-wrenching political decision. My wife, Mary Jo, and my daughter, Jenny, and son, Bobby, and son, Jason, have had to endure the ups and the downs and the difficulties of making such a decision. I am deeply grateful to them for their support and comfort because, without