

past president of the Wyoming Valley Serra Club of Wilkes-Barre and a past district governor of District 80 of Serra International. He is also a member and past grand knight of President John F. Kennedy Council 372 of the Knights of Columbus in Pittston and a member of the council's Fourth Degree Assembly.

In addition, he is a member of the parish community of St. Casimir, St. John the Evangelist and St. Joseph churches in Pittston, where he serves as a Eucharistic minister, an altar server and a member of the parish liturgy committee. He is also a past president of the parish Holy Name Society.

Mr. Speaker, Mr. Cosgrove is an institution in Northeastern Pennsylvania newspapers. After graduating from St. John the Evangelist High School in Pittston in 1941, his introduction to the business came in January, 1943, with the Times Leader in Wilkes-Barre. He joined the staff of the Sunday Dispatch in Pittston for the publication of its very first edition on February 9, 1947. He continued in various capacities with the Dispatch until the summer of 2000, when he affiliated with the Citizens' Voice in Wilkes-Barre as a writer, a position he continues to hold today. He also served for several years as a local correspondent for the Scranton Tribune.

Mr. Cosgrove is a son of the late George and Elizabeth Healy Cosgrove. His wife, the former Mary Neary, passed way in April 1981. Their union was blessed with two sons, George B., principal of Pittston Area Middle School, and Joseph M., a practicing attorney in Luzerne County. His family also includes his son George's wife, the former Virginia Berto, and two granddaughters, Jill, a senior at College Misericordia in Dallas; and Mary Ann, a freshman at the University of Scranton.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the good works and distinguished career of Richard Cosgrove, and I join the Friendly Sons in congratulating him on this well-deserved honor.

A SALUTE TO THE PIRATES

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2001

Mr. MCINTYRE. Mr. Speaker, I rise today to honor the Lumberton High School women's basketball team for their tremendous accomplishment this week. Their spirit and determination throughout the 29-1 season has been an inspiration to us all.

On Saturday, March 10, the Lady Pirates defeated East Wake High School 69-45 to win the North Carolina state 4-A girls' basketball title for the first time in school history. This is truly an amazing achievement for Coach Danny Graham, his coaching staff, and the entire Pirate team. It was the first state championship won by Lumberton's girls in any sport. Lumberton's only other state crown was a 2-A football title won in 1951.

Throughout the year, the Lady Pirates have represented the students and faculty of Lumberton High School well by sticking together and demonstrating good sportsmanship. Coach Graham has instilled in his players the ethic of dedication, sacrifice, and teamwork in the pursuit of excellence, and instilled in the

rest of us a renewed appreciation of what it means to win with dignity and integrity. Indeed, it was my distinct privilege to have personally experienced Coach Graham's excellence in both instruction and inspiration when I had the opportunity to coach our sons' basketball teams together in the Lumberton Recreation Department's basketball program several years ago.

I also salute the many students, teachers, coaches, administrators, friends and fans of Lumberton High School who cheered our Lady Pirates throughout the season and through the playoffs to the ultimate victory in Chapel Hill. Your unwavering support made this truly a family affair and an opportunity for unity in our community!

My fellow colleagues, please join me in congratulating this extraordinary group of players and their coaches, parents and classmates who cheered them on and made this year's basketball season one to remember. Congratulations, Pirates!

The 2000-2001 Lumberton High School Lady Pirates (listed alphabetically): Sheena Bell; Katrice Brunson; Juachau Cogdell; Anna Evans; Jennifer Hammonds; Letecia Hardin; Alicia Hunt; Jessica Hunt; Missy Jones; Cheryl Locklear; Shakwonda McArn; Billie McDowell; and LaTonya Washington.

INTRODUCING THE MEDICAID ESTATE RECOVERY AMENDMENT

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2001

Mr. RAHALL. Mr. Speaker, today I introduce an amendment to the Medicaid Estate Recovery Act, that will restore the discretion of the states to decline to participate in the Medicaid Estate Recovery Program.

More than three decades ago, the Medicaid program was enacted and implemented throughout the States with a mission of bringing relief to the poor, with an emphasis on children and the frail elderly, which included long-term or nursing home care for those who could not afford it.

When the Estate Recovery program was instituted, it was at the discretion of the states as to whether they would participate in the recovery of medicaid costs for the care of indigent elderly and disabled persons through the sale of their homes.

Among others, the State of West Virginia had declined to participate in a program that would take the homes of persons, just because they were extremely ill and because they were too poor to pay the costs of long term or nursing home care.

But in 1993 that discretion among the states was taken away, and in its place there was a state mandate to participate in Medicaid estate recovery efforts as a condition of federal Medicaid funding. West Virginia reluctantly enacted a State law that would permit the selling of the homes for elderly victims who died while in the care of Medicaid-funded nursing care. The State did so only after HCFA advised them in no uncertain terms that if they did not they would lose part or all of the State's Medicaid funding.

As a result of the government's mandate, my State enacted the law that would allow the

State to practice estate recovery against helpless home owners who happened to be too poor to pay for their own end-of-life care. In protest, the State law as enacted directed West Virginia's State Attorney General to file a lawsuit in federal court, claiming that the mandatory selling of people's homes was a violation of the 10th Amendment of the Constitution. The State's lawsuit is still pending.

That was eight years ago, and no relief is in sight. That is why I have introduced my bill today, that would restore to the states their own discretion as to whether they will participate in estate recovery. Under my legislation, those states that wish to continue to sell the homes of the elderly in order to recover the medicaid costs of their end-of-life care, may continue to do so. But for West Virginia (and three other states who have steadfastly declined to ever implement an estate recovery program: Michigan, Georgia and Texas), it will have the discretion it had prior to the 1993 amendment to the Medicaid Act not to do so.

As stated above, the original purpose of the Medicaid program was to provide funding to the states to furnish medical assistance to vulnerable populations with inadequate resources. There was no indication then that states would later be required to collect monies from the estates of the very same persons who were deemed by federal law to be vulnerable as to require medical assistance.

I would like to give my colleagues one example of the disparity between poor and more affluent states when it comes to winning or losing under the estate recovery program.

Estate recovery in a State which has a 50 percent federal matching share of Medicaid funds (FMAP), and which state recovered \$2.5 million in a given year, that state would be able to keep \$1.075 million in estate recovery funds for its own use. In a poorer state, like West Virginia, with a federal matching share of Medicaid funding (FMAP) of 75 percent, it would have been able to retain no more than \$425,000 in estate recovery monies for its own use (West Virginia returns 75 percent of recovered funds to the Federal treasury, and pays 19.6 percent to a collection agency to carry out the estate recovery actions against the estates of persons who died while receiving Medicaid funded long term care. In other words the poorest states receiving the highest Federal matching shares under Medicaid receive the least benefit from estate recovery, and they return the most money to the federal treasury. This disparity results in the reversal of the direction of transfer payments on which the Medicaid program is based. In simpler terms, estate recovery subsidizes the better-off state with the assets of those residing in the poorest states.

I urge my colleagues to support this legislation restoring to the states the discretion to implement and carry out an estate recovery program, in lieu of the current mandate. In this manner Congress will have allowed those states who desire to continue estate recovery activities to do so, while giving states that do not wish to participate in estate recovery the right to withdraw.