

MENTAL HEALTH PARITY
REAUTHORIZATION ACT OF 2003

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1929) to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to extend the mental health benefits parity provisions for an additional year, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. RENZI). Is there objection to the request of the gentleman from Texas?

Mr. OWENS. Mr. Speaker, reserving the right to object, although I do not intend to object, but I respectfully ask the gentleman to explain his request, and I yield to him for that purpose.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I thank the gentleman for yielding.

I am pleased to be here to manage House passage of S. 1929, the Mental Health Parity Reauthorization Act of 2003. As chairman of the Subcommittee on Employer-Employee Relations with jurisdiction over employer-provided health care, the issue of mental health parity falls within the purview of this subcommittee. In fact, almost 2 years ago, we held the first House hearing on the issue of mental health.

In 1996, Congress enacted the Mental Health Parity Act to prevent employers and health insurers from establishing annual and lifetime limits on health insurance coverage for mental health benefits, unless similar limits were also established for medical and surgical health coverage. Today, the House will take an important step to extend mental health parity benefits for another year by passing this bipartisan reauthorization legislation, which will be ready for President Bush's signature once we pass it.

Over the past 7 years, the parity law has made significant improvements in mental health coverage. It has done so by striking a good balance, providing important mental health benefits to patients without placing unworkable mandates on employers. The legislation we pass today will preserve current law mental health parity benefits for another year, through December 31, 2004.

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Mental health parity benefits offered through the Employee Retirement Income Security Act, ERISA, and Public Health Services Act, were set to expire this December 31. In the coming year, my subcommittee will continue to examine the issue of mental health parity, as expanding this law is one of the many substantive changes proposed for our Nation's health care system.

Before endorsing any changes to current law, the House must carefully study the issue and consequences it may have on our Nation's employer-provided health care system. Any

changes to the mental health parity law must be made in a balanced manner that does not jeopardize workers' existing health care benefits or discourage employers from voluntarily providing quality benefits to their employees. Because, as we all know, when employers' costs go up, workers often lose coverage. If the expanded mental health parity law is too burdensome and expensive, it is very likely employers will simply stop offering any type of mental health coverage.

Health insurance costs rose by 15 percent, the highest increase in a decade. In this environment, it is incumbent upon the Congress to carefully study the impact of new mandates before moving forward. However, reauthorization of the 1996 act is an important step to ensure that patients continue to have access to mental health care if they need it. Because of this, I am pleased to offer my strong support to S. 1929. I urge my colleagues to support this important bill.

Mr. OWENS. Mr. Speaker, I thank the gentleman from Texas (Mr. SAM JOHNSON) for his explanation. And continuing under my reservation, I rise in strong support of S. 1929, which extends the Mental Health Parity Act of 1996 for another year.

The original bill was pioneered and introduced by a great champion of mental health, a person of compassion and vision, the late Senator Paul Wellstone.

This legislation is based on a very simple idea: all health insurance plans should provide the same degree of coverage for mental health benefits as provided for medical and surgical benefits. The 1996 act did not require employers to offer mental health benefits; but it was, nevertheless, a huge step forward in the fight to ensure access for all Americans to comprehensive health care. Under the 1996 act, if mental health care benefits are provided, they have to be equal to those offered for medical care.

In particular, both aggregate lifetime caps and annual caps on mental health benefits had to be equal to those caps for the medical and surgical benefits, but if, and only if, the employer offered mental health benefits.

The 1996 act applies to both fully insured state-regulated health plans and self-insured plans. The act does not preempt State statutes that may provide stronger protections for mental health parity.

The 1996 act did not provide a complete parity. Employers and insurers can still restrict mental health benefits by imposing higher copayments and deductibles for mental health benefits than for medical benefits. There remains much room for improvement. We need to expand mental health parity to cover substance abuse disorders, to stop employers from charging different deductibles and co-payments to mental health services, and to stop employers from imposing different limits for inpatient stays and outpatient vis-

its for mental health benefits. Much work remains to be done; but without this action today, the Mental Health Parity Act will expire on December 31.

I urge my colleagues to support this reauthorization of the Mental Health Parity Act, extend these provisions for at least another year; and I urge us to all redouble our efforts to pass comprehensive mental health care parity in the coming year.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, continuing the objection, I do not intend to maintain my objection. I thank the distinguished gentleman from New York (Mr. OWENS), and I thank the distinguished gentleman from Texas (Mr. SAM JOHNSON). I simply want to add my support to what we are doing here today.

I come from Texas; but I know all of our colleagues, wherever they come from, realize that the lack of mental health services and intervention services is really a silent killer. The fact that we are extending the mental health benefits and the mental health parity provision is extremely important to those families who live in silence, suffering, a loved one with mental illness in need of mental health services or the individual themselves.

And I will simply say that we can do no less than to pay tribute to our fallen colleague, Senator Paul Wellstone, who lived his legislative career around the ideas of providing more legislative assistance in creating mental health parity. I hope that we will work in the next year for a comprehensive mental health parity package for all of America.

Let me just simply say on behalf of the work of the Mental Health Association, let me thank them for pressing the point about these needs. I would hope, Mr. Speaker, that as we support this particular legislation today, it will give us enough momentum and enough inspiration to realize that these individuals with broken lives cannot survive without our assistance and without intervention and mental health services.

Mr. Speaker, I do not intend to object, and I yield back to the gentleman from New York (Mr. OWENS), removing my objection.

Mr. OWENS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. RENZI). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1929

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mental Health Parity Reauthorization Act of 2003".

SEC. 2. EXTENSION OF MENTAL HEALTH PROVISIONS.

(a) ERISA.—Section 712(f) of the Employee Retirement Income Security Act of 1974 (29

U.S.C. 1185a(f) is amended by striking "December 31, 2003" and inserting "December 31, 2004".

(b) PHS.—Section 2705(f) of the Public Health Service Act (42 U.S.C. 300gg-5(f)) is amended by striking "December 31, 2003" and inserting "December 31, 2004".

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on and include extraneous material on S. 1929.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

RURAL ALASKA ACCESS RIGHTS ACT OF 1999

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the Senate bill (S. 1683) to make technical changes to the Alaska National Interest Lands Conservation Act, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the Senate bill as follows:

S. 1683

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be referred to as the "Rural Alaska Access Rights Act of 1999".

SEC. 2. AMENDMENT OF ACT.

The Alaska National Interest Lands Conservation Act (Public Law 96-487; 94 Stat. 2371) is amended as follows:

(a) Section 101 is amended by adding a new subsection (e) as follows:

"(e) All Federal public land managers in Alaska, or a region that includes Alaska, shall participate in an Alaska National Interest Lands Conservation Act (ANILCA) training class, as outlined in this legislation, to be completed within 120 days after enactment. All future appointed Federal public land managers in Alaska, or a region containing Alaska, shall complete ANILCA training within 60 days of assuming their position."

(b) Section 103(c) is amended by inserting "validly selected or" in the second sentence before the word "conveyed".

(c) In section 1102, add a new subsection (5) at the end as follows:

"(5) The term 'compatible with the uses for which the unit was established' means activities which would not cause significant adverse impacts on conservation system units purposes."

(d) Section 1105 is amended by designating the existing language as subsection (a) and inserting a new subsection (b) as follows:

"(b) any alternative route that may be identified by the head of the Federal agency shall not be less economically feasible and prudent than the route being sought by the applicant."

(e) Section 1109 is amended by deleting "access." and inserting in lieu thereof: "access, including rights-of-way established under Revised Statute 2477."

(f) The second sentence of section 1110(a) is amended by adding "specifically and tangibly" before the word "detrimental".

(g) The second sentence in section 1110(a) is amended by striking "area" and inserting in lieu thereof: "area: except that (1) reasonable regulations shall not include any requirements for the demonstration of pre-existing use and (2) the Secretary shall limit any prohibitions to the smallest area practicable and to the shortest period of time. No prohibition may be imposed prior to formal consultation with and consideration of the views of the State of Alaska."

(h) The last sentence of section 1110(b) is amended by inserting "may include easements, right-of-way, or other interests in land or permits and" after "such rights".

(i) In the last sentence of section 1110(b), strike "lands." and insert in lieu thereof: "lands, except that the Secretary may not impose any unreasonable fees or charges on those seeking to exercise their rights under this subsection. Individuals or entities possessing rights under this subsection shall not be subject to the requirement of sections 1104, 1105, 1106, and 1107 of this Act."

(j) Section 1301(d) is amended by striking "permit" in the final sentence and inserting in lieu thereof "shall enable".

(k) Section 1303(a)(1)(D) is amended by striking "located." and inserting in lieu thereof: "located, except that the applicant may not be required to waive, forfeit, or relinquish any possessory or personal interests in a cabin or structure."

(l) Section 1303(a)(2)(D) is amended by striking "located." and inserting in lieu thereof: "located, except that the applicant may not be required to waive, forfeit, or relinquish any possessory or personal interests in a cabin or structure."

(m) Section 1303(b)(3)(D) is amended by striking "located." and inserting in lieu thereof: "located, except that the applicant may not be required to waive, forfeit, or relinquish any possessory or personal interests in a cabin or structure."

(n) Section 1303 is amended by adding a new subsection (e) as follows:

"(e)(1) All permits, permit renewals, or renewal or continuation of valid leases issued pursuant to this section shall provide for repair, maintenance, and replacement activities and may authorize alterations to cabins and similar structure that do not constitute a significant impairment of unit purposes. Reasonable access, including access by aircraft, shall be afforded to permittees and lessees for these purposes.

"(2) Fees for all permits and leases issued pursuant to this section shall be reasonable and consistent with purpose of maintaining and facilitating authorized use. Reasonable fees are those that enable the issuing agency to recover and may not exceed permit or lease processing costs.

"(3) For purposes of this section, a claimant shall include persons who have regularly used a cabin related to the provision of authorized fishing or hunting services."

(o) Section 1307 (a) is amended by adding a new sentence at the end as follows: "Inability to provide the service for up to a five year period shall not constitute a relinquishment of a right under this section."

(p) Section 1313 is amended by adding at the end of the first sentence: "A purpose of all preserve units is to provide for fish and

wildlife dependent recreation including fishing and hunting."

(q) Section 1314 (c) is amended by striking "law." at the end of the first sentence and inserting the following: "law except that the taking of fish and wildlife for sport as well as subsistence purposes shall be permitted on each unit of the Refuge system in Alaska. The Secretary may designate zones where and periods when no hunting, fishing, and trapping may be permitted for reasons of public safety, administration, floral and faunal protection, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate state agency having responsibility over hunting, fishing, and trapping."

(r) Section 1315 is amended by adding a new subsection "(g)" as follows:

"(g) Notwithstanding any other provision of law, within National Forest Wilderness Areas and National Forest Monument areas as designated in this Act, the Secretary of Agriculture shall permit or otherwise regulate helicopter use and landings."

(s) Section 1316 (a) is amended in the first sentence by deleting "equipment" and inserting in lieu thereof: "equipment, including motorized and mechanical equipment."

(t) Section 1316 (a) is amended in the second sentence by striking "consistent with the protection" and inserting in lieu thereof: "not inconsistent with the conservation".

(u) Section 1316 (a) is amended by striking "permittee." in the last sentence and inserting in lieu thereof: "permittee except that structures and facilities may be allowed to stand from season to season."

(v) Section 1316 (b) is amended by inserting "significantly" before the word "detrimental".

(w) Section 1317 (c) is amended by deleting "section." and inserting in lieu thereof: "section except that the Secretary shall not establish management directives, guidelines, policies or prescriptions for the purpose of administering any study area to preserve Wilderness values prior to action by Congress on recommendations, if any, for wilderness designation of a study area."

(x) Section 1319 is amended by designating the existing text as subsection "(a)" and adding the following subsection (b):

"(b) Nothing in this Act shall be construed as limiting or restricting the power and authority of the State of Alaska except as expressly provided herein."

(y) The first sentence of Section 1326 (a) is amended by striking "withdraws" in the first sentence and inserting in lieu thereof: "withdraws, redesignates or reclassifies into a different or additional land management category".

The SPEAKER pro tempore. The gentlewoman from Virginia (Mrs. JO ANN DAVIS) is recognized for 1 hour.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first I want to say that this is an identical bill to one that I also introduced into the House, and I am very pleased that we are taking up the Senate bill so that we can get it out and do what is right for the law enforcement officers.

Mr. Speaker, I rise today to speak in favor of S. 1683 a bill introduced by Senator GEORGE VOINOVICH to require the Federal Government to conduct study reviewing the pay and benefits for our 128,000 federal law enforcement officers.