

TRIBUTE TO FORMER PRESIDENT  
RONALD REAGAN

S. 1887

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

**SECTION 1. ELIMINATION OF THE 30-PATIENT LIMIT FOR GROUP PRACTICES.**

Section 303(g)(2)(B) of the Controlled Substance Act (21 U.S.C. 823(g)(2)(B)) is amended by striking clause (iv).

Mr. LEVIN. Mr. President, this legislation, S. 1887, ensures that all appropriately trained group practice physicians may prescribe and dispense certain recently approved drugs for the treatment of heroin addiction. It addresses the unintended effect of the Drug Abuse and Treatment Act of 2000, DATA, that hinders access to new treatments for thousands of individuals who seek such help.

When Congress passed DATA as Title XXXV of the Children's Health Act of 2000, Public Law 106-310, it allowed for the dispensing and prescribing of Schedule III drugs, like buprenorphine/naloxone, in an office-based setting, for the treatment of heroin addiction. As a result of DATA, access to drug addiction treatment is significantly expanded; patients no longer are restricted to receiving treatment in a large clinic setting, but now may receive such care from specifically trained physicians in an office-based setting.

DATA limits qualified individual physicians to treating no more than 30 patients at a time. The interpretation of the law results in the same 30-patient limit on physician groups. For example, the physician members of the Duke University Medical School faculty practice plan may treat only 30 patients at one time, even though they may have ten individual physicians trained and willing to treat patients and more than 30 patients would benefit from newly available treatment. The difficulties that have arisen, including the dashed hopes for treatment of many, due to the patient limitation on group practices, are detailed in a May 30 article in the Boston Globe, by Peter DeMarco. I would like to share a few excerpts from that article with my Colleagues, as follows:

When buprenorphine became available as a treatment for OxyContin and heroin addiction 18 months ago, many medical professionals and addicts hailed it as a miracle drug, bringing addicts back from the brink and helping them lead normal lives when all else had failed. But for many addicts, buprenorphine remains one of the hardest drugs to obtain. Approved by the Federal Food and Drug Administration in 2002, buprenorphine is an opiate like heroin or the painkiller OxyContin. Unlike those drugs or methadone, the prescribed drug it's meant to replace, buprenorphine doesn't cloud the minds of patients, allowing them to work or study as if they're not on any drug at all. Nearly all who take buprenorphine, meanwhile, say they lose all physical cravings for street drugs.

But a combination of federal limits on the distribution of buprenorphine, and reluctance on the part of some physicians to offer it to patients has kept thousands of opiate addicts from receiving the drug in Massachusetts and across the country. At the heart of

the issue is federal legislation passed in 2000—two years before the drug was approved by the FDA—that restricts individual clinical practices from treating more than 30 patients with buprenorphine at a time.

While many substance-abuse experts say the 30-patient figure is too low for some practices, their main quarrel with the Drug Addiction Treatment Act of 2000 is its failure to differentiate single-physician practices, hospitals, and health care organizations. For example, all the doctors who work for Tufts Health Plan can treat a combined 30 patients—the same total as can be seen by a physician practicing alone.

Boston health officials, along with their counterparts in the State and Federal governments, say the Federal legislation erred on the side of caution, and needs to be changed to allow wider access to buprenorphine.

“Boston Medical Center's main practice has 200 or more general internal-medicine doctors, and within that practice, we can only treat 30 people. It's the craziest loophole,” said Colleen Labelle, nurse-manager of the hospital's Office-Based Opioid Treatment Program. “We get 20 calls a day from across the state. People are begging, desperate to get treated, who we can't treat.”

The Federal Substance Abuse and Mental Health Services Administration has begun an internal process to increase the 30-patient cap. But because any proposed change would be subject to the public-review process, approval could take as long as two years, said Nick Reuter, a senior public health analyst with the agency.

It clearly was not the intention of DATA that individuals seeking treatment have less access to new medications simply because they receive care from a physician practicing in a group, or from a group-based or mixed-model health plan. Nevertheless, this is the effect and it is having a severe effect. The problem is addressed by removing the 30-patient aggregate limit on medical groups. The patient limitation would remain on individual treating physicians. This is achieved in the bill, S. 1887, which I introduced along with Senators HATCH and BIDEN. It simply removes the statutory limit on the number of patients for whom doctors in medical groups may prescribe certain newly available, FDA-approved medications to treat heroin addiction.

I would like to close with another excerpt from Mr. DeMarco's article regarding the positive impact buprenorphine treatment has had on an individual who was fortunate enough to seek and help and not be turned away. It is as follows:

Timothy Tigges says his addiction began after he wrenched his back and bummed a few Percocet pills, a prescription analgesic, from a friend to dull the pain. Before he knew it, he was hooked on opiates, alternating between OxyContin and shooting up heroin as his life went to pieces.

In October, Tigges, a 27-year-old East Boston carpet installer, began taking buprenorphine, placing an orange pill the size of a dime under his tongue until it dissolves, four times daily. He hasn't touched an illegal drug since the day he started the program, has put on 80 pounds from lifting weights at the gym, and has yet to miss a day of work. For the first time in three years, Tigges hopes to see his 5-year-old daughter, whose mother has refused to let him visit.

Mr. COCHRAN. Mr. President, with the death of President Ronald Reagan, our Nation has lost a very successful and inspirational leader. He led us to believe in ourselves and our system of Government, our market economy, and our ability to defend freedom and liberty against all threats.

President Reagan had a contagious sense of optimism. He believed deeply America was capable of solving our problems through our democratic process of self-government, and that other nations could do the same.

His greatest success was improving our economy and establishing a more peaceful and cooperative relationship with the former Soviet Union, in particular with the former Communist countries of Eastern Europe.

The Berlin Wall was a symbol of intransigent tyranny. He called for it to be torn down and it was, giving the people of Eastern Europe the opportunity for freedom and hope for a brighter future. We will always remember President Reagan's great smile, his good humor, his sincerity, and his love of country. We are a better Nation and the world is a safer place because of Ronald Reagan.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

**AMENDING THE CONTROLLED SUBSTANCES ACT TO LIFT THE PATIENT LIMITATION ON PRESCRIBING DRUG ADDICTION TREATMENTS BY MEDICAL PRACTITIONERS IN GROUP PRACTICES**

Mr. COCHRAN. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 542, S. 1887.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1887) to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices and to amend the Controlled Substances Act, and so forth, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. COCHRAN. Mr. President, I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (S. 1887) was read the third time and passed, as follows:

"I've had clean urines, 100 percent, for nine months now. There's nothing I'm prouder of than that," he said, choking back emotion. "What I read on the front page of the paper every day is 18- and 20-year-old kids dying of garbage drugs. There's just no need for it. I would take every ounce of heroin off the street and give them this stuff. You watch the crime rate go down."

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. 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. CORNYN. Mr. President, I ask unanimous consent I be allowed to speak for 20 minutes in morning business.

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

#### TRIBUTE TO FORMER PRESIDENT RONALD REAGAN

Mr. CORNYN. Mr. President, as the whole world knows by now, America and the world lost a great man, Ronald Reagan, last Saturday. After battling Alzheimer's disease for the last 10 years, he finally succumbed and left this life for the next.

This week, in this Senate, on television, in the newspapers, and all around the world we will hear people talking of their memories of this great man and what a difference he made in this country and to freedom-loving people all around the world. I offer a few of my own comments in that regard out of respect for him and his family and the great example he was for all who believe in freedom, hope, and opportunity.

Ronald Reagan, perhaps during his entire political career, was underestimated. He was written off by some as an actor or by some as a nice man but maybe not particularly effective. Because he was a man of good humor who loved a good joke, some thought he could not and should not be taken seriously.

The fact is, Ronald Reagan demonstrated for everyone how a serious person—that is, someone who believes deeply in their principles, indeed in the principles upon which this country was founded, and who is willing to put themselves out in the public domain and to argue and fight, sometimes to lose but sometimes to win, in advocacy of those principles—Ronald Reagan reminded us that a good man, indeed a kind human being, a gentle person, a loving husband and father, can also survive in this sometimes difficult, some might even say ugly, world of electoral politics.

In many ways, his death gives another reason to remember that politics today seems in many ways to become personal, so adversarial. Indeed, it need not be. There is no reason why individ-

uals cannot disagree about public policy and differing points of view. There is no reason they cannot do that without becoming personal and hurtful.

I believe it was Margaret Thatcher who once said that a person who reverts to name-calling simply has run out of anything else to say. Indeed, what we ought to be focused on is the policies we believe are in the best interests of the American people and avoid the sort of personal acrimony and hurt which too often seems a characteristic of our modern politics.

Ronald Reagan taught us you can be a successful politician, you can rise to the greatest heights in our system—indeed, to be the leader of the free world—and still keep your good humor, still treat every person with dignity and respect, and still show the milk of human kindness to others.

The one thing that made Ronald Reagan such an attractive person in public life was his basic principles. Indeed, there are some who underestimated him his entire political career. What they failed to appreciate was the power of his convictions and the ideals for which he stood. One of those convictions was putting people first. Ronald Reagan said putting people first has always been America's secret weapon. It is the way we have kept the spirit of our revolution alive, a spirit that drives us to dream and dare, and to take great risks for a greater good.

I know Ronald Reagan has been touted as a great man. I believe he was a great man. But he never considered himself to be a great man, merely a man committed to great ideas.

He also was sometimes criticized for being too much of a dreamer, but he made no apologies about that. He said:

There's no question I am an idealist, which is another way of saying I am an American.

But when I think of the policies of the Reagan administration and the successes of what some have called the "Reagan Revolution," but which I think in many ways was not revolutionary as much as it was a restoration of our basic principles upon which this country was founded, I think of the fall of communism and the subsequent liberation of tens of millions of people who had known nothing other than oppression and tyranny and dictatorship, and, also, the resurgence of the American economy.

First, so far as his role in the fall of communism, although he was a genial, friendly, humor-loving optimist, he was a hardnosed realist when it came to the terrible impact and consequences of communism on people across this globe. Indeed, he knew it was important for us to maintain a strong military and made no apologies when it came to the importance of peace through strength, not going hat in hand to our allies or our enemies asking them to do us a favor but recognizing that America has a unique role in the world as the one remaining superpower, after the fall of the Soviet Union, and recognizing the failure of

communism as an alternative to freedom and democracy.

But it was, in large part, his commitment to rebuilding our military and peace through strength and hardnosed negotiating across the conference table with various opponents of our country and leaders of other countries that caused freedom to reign for tens of millions of people who had never known freedom due to the fall of communism.

The other thing he believed in was the freedom here at home. He believed that big government was the enemy of individual freedom, and that if, in fact, we were going to be able to continue to enjoy the kind of prosperity and opportunity that has been synonymous with America, we needed to get a handle on big government. Indeed, when Ronald Reagan became President, it is hard to believe now, but the highest marginal income tax rate was 70 percent. By the time he left office, it was 28 percent. Today it stands at 35 percent.

But Ronald Reagan understood, as all Americans understand—all folks outside of Washington especially understand—that in order to grow the economy you do not tax it more, you cut taxes, because only then can you provide the incentive for the individual American worker to work hard, save their money, invest their money, perhaps in their small business, and then create jobs and opportunity for others who may not have those jobs or that opportunity. It was by growing the economy, by providing that incentive for work and investment and savings and risk taking that we have all been the beneficiaries of that new economic freedom was brought in, in modern times, by Ronald Reagan's leadership.

Most of all, I think my memories of Ronald Reagan center around his call for us to believe in ourselves once again, to believe in America again, and believe in the ideals we all identify with this great country of ours. America is different from virtually every other country in the world in that it was founded on ideals, on an ideal of liberty and justice for all, something not shared by any other country in the world that was formed or based on history or collective experience. But, of course, our country was formed on the basis of these ideals, and Ronald Reagan believed in them fervently and, more importantly, he fought for them, even against those who suggested that perhaps it was not possible for America to be great again.

There were those who suggested that somehow America's greatest days were behind us. Ronald Reagan never believed that. He always believed America's greatest days lay ahead of us. And indeed they do, even today.

He understood and preached, perhaps better than anyone, that big government and high taxes are the enemy of individual freedom, that smaller government and lower taxes would be an incentive to work and savings.

I mentioned a moment ago his belief in the individual initiative of risk takers, of entrepreneurs, of those who