

EXTENSIONS OF REMARKS

MEDICARE+CHOICE MENTAL
HEALTH COVERAGE ACCESS AS-
SURANCE ACT OF 1998

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 1998

Mr. STARK. Mr. Speaker, I rise today to introduce the "Medicare+Choice Mental Health Coverage Access Assurance Act of 1998." This important legislation seeks to provide Medicare beneficiaries with appropriate and medically necessary mental health coverage under managed care.

Last year's Balanced Budget Act opened more managed care choices to Medicare beneficiaries through the establishment of the Medicare+Choice Program. In doing so, we enacted some patient protection measures for individuals enrolled or will be enrolled in Medicare managed care. However, because of managed care's history of putting more restrictive limits on mental health care compared to general health care, I believe that additional steps must be taken to ensure that Medicare patients with mental health needs will receive appropriate mental health care.

The amendments to the Balanced Budget Act that I am introducing today would give Medicare consumers emergency care in the case of a suicide attempt, coordination of post-stabilization care, clear descriptions of mental health and substance abuse benefits, access to mental health specialists and to inpatient treatment.

According to the Health Care Financing Administration, close to five million Medicare beneficiaries are mentally ill. Of these, 1.3 million are under age 65; they receive SSDI and Medicare due to a mental disability. The number of SSDI recipients diagnosed with a mental illness increased 17% between 1993 and 1995. And it is expected that the number of geriatric patients with mental disorders such as depression, anxiety, and Alzheimer's will grow rapidly in the coming years. To address these needs, Medicare spent close to four billion dollars on mental health services in calendar year 1994. Yet, the services presently received by Medicare beneficiaries are viewed by many as inadequate and fragmented.

While one may expect capitated systems to better provide for a full continuum of mental health care and serve individuals with mental health needs better, experience with this sector to date has been mixed. In the public sector, states are struggling to address fundamental questions of coverage, access, quality, and mental health's coordination with the rest of health care as millions of mentally disabled Medicaid beneficiaries are moved into managed care systems. It is worth noting that many public purchasers are placing their mental health and addiction disorder treatment and prevention programs into the hands of private companies far more rapidly than their own contracting abilities or the capabilities of the managed care companies may warrant.

Medicaid's transformation to managed care gives us reasons to proceed with caution. The federal government retains the ultimate responsibility of ensuring that taxpayers' money is well-spent and the mental health needs of Medicare beneficiaries are well-served if we are to turn their care over to private companies. This legislation that I am introducing today address these issues and requires the following minimum standards from health plans that wish to participate in Medicare.

First, a patient should get the psychiatric emergency care he needs if he has made a suicidal attempt or has made serious threats to inflict harm to himself. It seems that some managed care companies do not take a suicidal attempt seriously enough. According to the report Stand and Deliver: Action Called to a Failing Industry, 1997 by the National Alliance for the Mentally Ill, five of the nine largest behavioral managed care companies surveyed failed to provide a response that acknowledged a suicide attempt as a potentially deadly emergency requiring prompt attention.

Second, should a patient show up in an emergency room in an emotional crisis and the managed care plan decides that he does not meet the criteria for an inpatient admission, the plan must still do what it takes to stabilize the patient. Treatment decisions should include a realistic assessment of the availability of community supports and other treatment setting options that would serve as an alternative to inpatient care such as partial hospitalization or acute diversion units.

Third, Medicare beneficiaries are entitled to and should get a clear description of mental health and addictive disorder treatment benefits from health plans. This should include any front-end restrictions on utilization of mental health services such as premiums, co-insurance, deductibles, number of visits and days limits, and the range of services provided. In addition, plans should also disclose annual and lifetime limits on mental health spending. This would enable Medicare beneficiaries, and specifically those with mental disability, to make an informed choice of a plan that best serves their needs.

Fourth, a Medicare+Choice plan should provide beneficiaries access to mental health and addiction specialists. This requirement is particularly important to the severely and persistently mentally ill geriatric patients, whose complex medical, psychiatric, and cognitive impairments are frequently left poorly attended to.

Last of all, it must be emphasized that the treatment of serious brain disorders continues to require the availability of inpatient care. The decision to admit or to refuse a psychiatric hospital admission to a patient in distress can have grave and even life-threatening consequences. Thus, these decisions must be made in close consultation with the physician who wishes to admit a patient with serious symptoms to a hospital setting.

I urge my colleagues to join me in co-sponsoring this important and straightforward legislation. For too long, discussions of mental health and addictive disorders have been lost

in the Medicare debate. The elderly and disabled Medicare beneficiaries with mental health needs are a vulnerable population. They deserve our attention and our commitment to provide them with the best care we possibly can.

**WHO WILL WIN THE SECOND
BATTLE OF SAIPAN?**

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 1998

Mr. MILLER of California. Mr. Speaker, the following column by the highly respected writer Mark Shields appeared in the Seattle Post-Intelligencer on May 18, 1998 and describes the debate in Congress to reform the outrageous practices in the U.S. territory of the Commonwealth of the Northern Mariana Islands that conflict with core American ethics and values.

"Made in the USA Is at Heart of the Second Battle of Saipan" describes the continuing, widespread labor abuses and problematic immigration policies in the US/CNMI that have prompted a bipartisan group in Congress to support legislation to bring these local laws in conformity with those that apply throughout the rest of our country.

Like the battle of Saipan during World War II when American troops fought for 25 days to capture the island chain, the clash in Congress is an uphill battle between those who are working to instill humanitarian reforms in the island's labor and immigration policies and those who hail the existing policies as a cornerstone of "free enterprise."

At the root of this "second battle of Saipan" is the local control over minimum wage and immigration policies that was temporarily granted to local authorities over twenty years ago when the US/CNMI first became a part of the United States. However, since this local control was granted, the US/CNMI has not made any serious attempts to either increase the local minimum wage to the federal level or closely control its borders to prevent an influx of immigrants as it had promised. Rather, the US/CNMI maintains an artificially low minimum wage of \$3.05 per hour and has opened its borders to a flood of foreigners who provide the labor pool for menial, labor-intensive jobs.

Currently, foreign workers compose 91% of the private sector workforce and significantly outnumber U.S. citizens in the US/CNMI. Local labor controls and law enforcement are severely lacking, company housing is squalid, abuse is common and this low-cost foreign workforce is easy prey for exploitation. And the nearly \$1 billion in garments produced in these conditions by foreign workers bears the "Made in USA" label, although the labor protections normally associated with this label are nonexistent. Foreign workers in the US/CNMI can be deported at a moment's notice if they complain about conditions and are forbidden from changing jobs if they have a problem

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

with their employer. Clearly, the experience of these workers in the US/CNMI is not representative of a work experience anywhere else in America. According to Mr. Shields, "toiling 12 hours a day, seven days a week, without any of the worker protections Americans are guaranteed, is tragically common."

Congress has the power and the duty to ensure that basic fundamental principals of labor and immigration law are adhered to throughout the United States and its territories. I urge my colleagues to read this column and decide for themselves how they would like to see the "Second battle of Saipan" play out. I think you'll agree that if our efforts to apply federal labor and immigration controls to the US/CNMI are successful, as Mr. Shields notes, "the United States and humanity will win."

[From the Seattle Post-Intelligencer, May 18, 1998]

"MADE IN THE USA" IS AT HEART OF THE
SECOND BATTLE OF SAIPAN
(By Mark Shields)

For Americans of a certain age, Saipan will forever remain that Pacific Island battle where, during 25 days of hell in the summer of 1944, the U.S. Marines captured 47 square miles of strategic real estate. The price was high. U.S. combat casualties numbered 16,612, including 3,225 Americans killed in action.

For the Japanese, the numbers are still staggering: 23,811 known soldiers dead added to an overwhelming majority of the 18,000 Japanese civilians on the island who chose death over surrender by jumping off the cliffs into the sea. That mass Japanese civilian suicide helped convince the Truman administration that Japan would never surrender and that the use of atomic weapons would actually save Japanese and American lives.

Today, Saipan is the capital of the Commonwealth of the Northern Mariana Islands (CNMI), a chain of 14 islands in the North Pacific. The approximately 28,000 indigenous people of the CNMI, following their own free vote, are all U.S. citizens. But the CNMI was granted local authority over immigration to the islands and over permitting island employers to pay workers at a lower minimum wage than that of the United States. Still, any clothing manufacturer in Saipan is entitled to sew the "Made in the U.S.A." label in every garment. And all such garments can enter the U.S. mainland market free of tariffs and quotas.

This has led directly to the "Second Battle of Saipan." The island has turned into a legalized sweatshop. Ninety-one percent of the private-sector work force, numbering 42,000, consists of foreign workers from China, the Philippines, Bangladesh and Sri Lanka who are too often exploited on U.S. soil.

According to the sworn testimony of U.S. officials, and human-rights and workers-rights professionals, those foreign workers—being paid barely half the U.S. minimum wage—live behind barbed wire in squalid shacks without plumbing. Toiling 12 hours a day, seven days a week, without any of the worker protections Americans are guaranteed, is tragically common.

Rep. George Miller, D-Calif., has personally visited the island factories. He has introduced legislation to raise the island minimum wage and impose federal control of immigration. With characteristic bluntness, Miller says: "Let's be clear. Foreign workers using foreign cloth under the eyes of foreign supervisors are working in a foreign-owned factory producing garments into which they sew a label that reads 'Made in the U.S.A.,' and that is the only reason these foreign fac-

tories are there—to escape U.S. duties and quotas imposed by the Congress to protect U.S. jobs."

But Miller is in the House minority. And Rep. Tom DeLay, R-Texas, the House majority whip, who with his family was the New Year's Eve guest of the Marianas government, publicly has vowed to fight any federal takeover of Saipan's immigration and labor laws.

As seen and heard on ABC-TV News, DeLay told his host, "You are a shining light for what is happening in the Republican Party, and you represent everything that is good about what we are trying to do in America and leading the world in the free-market system."

DeLay does have a point that the foreign workers in Saipan are earning more and often under less brutal conditions than they could in their own homelands. But for those who remember the first battle of Saipan, the "Made in the U.S.A." label means standards of quality and standards of conduct. But more important than how something is made is how the people who make that something are treated, that they are free to worship and to complain and to quit.

One man who understands that well could be DeLay's worst legislative nightmare: Sen. Frank Murkowski, R-Alaska, chairman of the energy and natural resources committee. Murkowski supports legislation similar to Miller's. But the conservative Alaskan has the clout to make things happen. Showing a sense of history, Murkowski rebuts defenders of the Saipan status quo: "The last time we heard a justification that economic advances would be jeopardized if workers were treated properly was shortly before Appomattox."

Frank Murkowski is right. If he is successful, the United States and humanity will win the second battle of Saipan.

CONGRATULATING THE BOYS' BASEBALL TEAM OF KEY WEST HIGH SCHOOL

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 1998

Mr. DEUTSCH. Mr. Speaker, I rise today to honor and congratulate the boys' baseball team of Key West High School. The city of Key West prides itself as the home of the Ernest Hemingway Festival, Duval Street, and magnificent beaches. This year, the Conchs, the Key West High School boys' baseball team, has provided the city with another reason to burst with pride—a first place trophy in a national tournament.

Recently, the Conchs won the Pepsi All-Sport National High School Baseball Tournament with an 11–7 victory in Boca Raton over Monsignor Pace High School. This was the conclusive win which had been preceded by three other victories in five days and which gave the Conchs the much sought after title of national champions.

Although, this is not the first time that the Key West Conchs have participated in a national tournament, it is the first time they have been crowned as victors. Two years ago, the boys lost at the Dole Classic in California and last year at the USA Classic in Tennessee. This year, however, proved to be different. This season the Conchs made history for Key West High School by attaining the first place trophy in a national high school baseball tournament.

The championship roster includes: Michael Anderson, Dane Artman, Devin Butler, John Paul Castro, Lazaro Chavez, Marcus Davila, Peter Dunick, Khalil Greene, Ben Harrison, Daniel Hersey, Tommy Lambeth, Luis Leal, Aaron Marr, Juan Menendez, Sean Morales, Brian O'Connell, Stephen Parker, Troy Philipps, Tony Ramos, Eduardo Rodriguez, Billy Spottswood, Christian Twyman. Overseeing this group were Head Coach Brooks Carey, Pitching Assistant Coach Randy Sterling, First Base Assistant Coach Chris Valdez, Third Base Assistant Coach Ralph Sanchez, Athletic Director Robert Price and Principal Alma Olson.

Mr. Speaker, I am honored to represent the students of Key West High School who continue to strive to achieve excellence. On behalf of the citizens of the Twentieth District of Florida, we congratulate the Conchs on an outstanding season.

CONGRATULATIONS TO THE FRESNO STATE WOMEN'S SOFTBALL TEAM

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate the Fresno State University Women's Softball Team on their 1998 NCAA Women's College World Series victory. The win gave Fresno State its first National Championship in any sport. The Fresno State Women's Softball Team has exhibited the dedication and hard work that it takes to become world renown athletes. I applaud the perseverance of both the team and the coaches. They are all well deserving of this recognition.

Mr. Speaker, I ask that the following individuals of the Fresno State Women's Softball Team be entered into the CONGRESSIONAL RECORD: Laura Berg, Center field; Candice Bowlin, outfield; Kara Campbell, outfield; Angela Cervantez, 1st and 3rd base; Alicia Dowland, short stop; Jennifer Jokinen, Left field; Nina Lindenberg, 2nd base; Jaime Maxey, 1st and 3rd base; Lindsay Parker, right handed pitcher; Kim Peck, Left handed pitcher; Amanda Scott, right handed pitcher/outfielder; Jennifer Slaney, Catcher; Janna Todd, Catcher/DP; Vanessa Valenzuela, 1st base; Amber Wall, Catcher; Carolyn Wilson, Catcher/DP; Daviana Wisener, Outfield; Becky Witt, Outfield, and Margie Wright, Coach.

In the final game of the NCAA Women's College World Series on Monday, May 25, 1998, Nina Lindenberg's home run provided all the scoring as pitcher Amanda Scott limited the Arizona Wildcats to three singles. The victory ended a 29 game winning streak for Arizona, who had won the National title the previous two years.

Mr. Speaker, it is with great honor that I congratulate the Fresno State University Women's Softball Team for their 1998 NCAA Women's College World Series victory. Their commitment and dedication should serve as a model for athletes the world over. I ask my colleagues to join me in wishing the Fresno State Women's Softball Team many more years of success.