

The outline of coverage would be required to include: a description of the benefits covered; the principal exclusions from and limitations on coverage; the conditions, if any, upon which the insured can obtain upgraded benefits; the threshold conditions for entitlement to receive benefits; a statement of the circumstances in which a policy may be terminated and the refund or non-forfeiture benefits, if any, applicable to each circumstance including death, nonpayment of premiums, non-renewal by the insured, any other circumstance; a statement of the total annual premium and the portion of premium attributable to each covered benefit; any reservation of the insurer of a right to change premiums any limits on annual premium increases; any expected premium increases associated with automatic or optional benefit increases, including inflation protection; circumstances under which the payment of premium would be waived; information on average costs and variation in such costs for nursing facility care and other covered benefits; comparison of benefits over 20 years for policies with and without inflation protection; a declaration as to whether the amount of benefits will increase over time and, if so, the type and amount of any limitations on, and any premium increases for, such benefit increases.

#### *Benefit standards*

Benefits under long-term care insurance policies could not be conditioned upon any of the following: the need for another type of service, such as prior hospitalization or a higher level of care; a particular medical diagnosis; compliance by the providers with conditions not required by Federal or State law; the provision of such service by a provider or in a setting providing a higher level of care than required by an insured individual.

A long-term care insurance policy that provides benefits for home care or community-based services; may not limit benefits to services provided by registered nurses or licensed practical nurses; may not limit benefits to services furnished by persons or entities participating in programs under title XVIII and XIX of the Social Security Act; must provide, at minimum, benefits for personal assistance with activities of daily living, home health care, adult day care and respite care.

A long-term care insurance policy that provides benefits for nursing facility services must provide benefits for services in all types of nursing facilities licensed by the State and may provide benefits for care in other residential facilities.

A long-term care insurance policy may not discriminate in the treatment of Alzheimer's disease or any other dementia of organic origin, any organic or inorganic mental illness, mental retardation or any other cognitive or mental impairment, or HIV infection or AIDS from the treatment of any other medical condition, for purposes of determining whether the threshold conditions for the receipt of benefits have been met, or the amount of benefits under the policy.

#### *Inflation protection*

A long-term care insurance policy would be required to offer the consumer the option to purchase inflation protection. The inflation benefits shall not be less than 5 percent per year of the full value of benefits for the previous year or such other rate of in-

crease as the Secretary may determine adequate to offset increases in the costs of long-term care services covered under the policy.

#### *Non-forfeiture benefits*

A long-term care insurance policy would have to include a non-forfeiture benefit after being in effect for a specified period.

#### *Right to cancel*

A long-term care policy would have to provide that the insured has 40 days to cancel and obtain a full refund of any premium paid.

#### *Guaranteed renewal*

In order to be certified, a long-term care policy could not be canceled or refused to be renewed (or replaced with a substantial equivalent) except for non-payment of premium or for fraud or non-disclosure on the part of the insured.

#### *Continuation and conversion rights of group policies*

A group long-term care insurance policy would be required to provide the opportunity to continue coverage when the policy would otherwise terminate.

#### *Approval of State Long-Term Care Insurance Certification Programs*

The Secretary of Health and Human Services would be required to review and approve State long-term care insurance certification programs meeting the following requirements: The State certification program would be required to assure compliance with the standards for long term-care insurance policies as specified in this bill. State programs would be required to provide administrative procedures under which an insured individual may seek reconsideration of any denial or partial payment of a claim.

### THE NEED FOR MORE THOROUGH BACKGROUND CHECKS

#### HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. OWENS. Mr. Speaker, recent background checks of public officials and candidates for public office have appropriately caused concern. The legal practices of a professional physician have been thoroughly scrutinized. A sitting cabinet secretary has been cited for not telling absolutely everything about a personal sin. It may be that the background checks by the FBI have been assigned too great a role in deciding who is fit to serve in public office. Or it may be that the well developed skills of the brigade handling these background checks could perform a higher service for this increasingly mean-spirited and merciless nation. Why not go deeper with background checks and tell us about the ancestors of our public spokespersons? The world can clearly see that some of us are the descendants of the victims of the criminal slave industry. We do not know which officials are the descendants of the oppressors who were the beneficiaries of the heinous slave industry. Such identities were not important in the past; however, now a new level of evil has been unleashed and all kinds of knowledge is needed to compare this attempt to wipe out all progress achieved by the descendants of

slaves. As the scorched earth fiscal policies of the Republican majority escalate in unison with a blitzkrieg attack on affirmative action, it would be illuminating to review a more detailed background of the leaders in this public policy assault. To increase their profits, over a two hundred year period, whose ancestors promoted slave breeding with teenage pregnancies? Whose ancestors for two hundred years worked mightily to obliterate all sense of family and humanity from slaves in order to make them more efficient beasts of burden? Backgrounds should be checked and it should be a crime to tell a lie to the FBI.

#### IT'S A CRIME TO TELL A LIE

It's a crime  
To tell a lie  
To the background brigade  
Of the FBI  
Did your great  
Great grandfather  
Rape his slaves  
Or torture the males  
Are you the descendant  
Of greedy knaves  
Enriched by human sales  
It's a crime  
To tell a lie  
To honest interrogators  
From the FBI  
To meet their labor need  
Did your ancestors  
Make teenage girls breed  
Were young females  
Forced to go  
Or could they choose  
Their own Romeo  
Slavery was legal  
In white men's eyes  
But judged a moral crime  
By the ruler of all skies  
Don't tell a lie  
To the background brigade  
Of the FBI  
List deeds done  
To cleanse the shame  
Attach records  
Which clear  
Your family's name  
Remember  
It's a crime  
To tell a lie  
To the background brigade  
Of the FBI.

### COMMENDING SABRINA NEKAY LEWELLEN

#### HON. BLANCHE LAMBERT LINCOLN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mrs. LINCOLN. Mr. Speaker, I would like to recognize the accomplishments of an extraordinary young woman from my district. Ms. Sabrina Nekay Lewellen of Jonesboro, AR, was named the State winner in the annual Veterans of Foreign Wars and Ladies Auxiliary's "Voice of Democracy" broadcast audio-essay contest. Ms. Lewellen wrote and delivered an inspiring and challenging speech on her vision for America. After reading her speech, I have a renewed confidence in the future of our great country. I would like to include a copy of her speech to be printed in the record and I would encourage my colleagues to read it and to accept Ms. Lewellen's challenge. Thank you.