

citizens and disabled persons with respiratory illnesses at serious risk. My legislation is very simple. It restores Medicare coverage for ultrasonic nebulizers to the same terms and conditions that existed prior to this change.

The device in question uses ultrasonic sound waves to turn medicine into a fine mist that is inhaled by the patient into the lungs. Ultrasonic nebulizers are extremely efficient at delivering medication where it is needed—the lungs—and in the optimum particle sizes.

Without any clinical justification and without any public notice or comment, the DMERC's have either eliminated Medicare coverage for ultrasonic nebulizers entirely, or reduced reimbursement rates so drastically that suppliers will no longer provide them.

The DMERC's decision was made despite the fact that ultrasonic nebulizers have been considered safe, effective, and medically necessary for years, and notwithstanding a large body of evidence that ultrasonic nebulizers are more efficient at delivering medication than the most similar alternative, the jet nebulizer or pneumatic compressor.

Furthermore, beneficiaries are being forced to switch to a metered-dose inhaler [MDI], which is not covered by Medicare. This has led to a significant increase in the out-of-pocket-costs of Medicare beneficiaries. I am particularly concerned that the additional costs borne by senior citizens may cause some to forego needed treatments—an outcome which could put their lives in jeopardy.

Mr. Speaker, in addition to the increased costs to seniors, the lack of openness and public accountability, the new "one-size fits all" Medicare respiratory care policy is downright dangerous. While metered-dose inhalers [MDI's] are wonderful devices, they are not the appropriate therapy for every person.

Indeed, a number of well-controlled studies suggests that up to 50 percent of senior citizens do not use MDI's properly—even after repeated instruction. What these studies imply is that if HCFA does not reverse the decision of the DMERC's and restore Medicare coverage for ultrasonic nebulizers, there will be seniors, forced to switch to MDI's, who could require hospitalization because they cannot use their MDI properly.

Asthma and cystic fibrosis are not diseases to be taken lightly—if a person does not have the proper medicine, they can die. It is that simple. In fact, of the nearly 5,000 people who die every year from asthma, most deaths resulted from patients who failed to take their medication.

For those with severe arthritis or poor hand-eye coordination, they cannot use an MDI at all. They will be the real victims of the new HCFA/DMERC policy on ultrasonic nebulizers. The HCFA/DMERC decision to deny ultrasonic nebulizer coverage is a clear case of a policy that is "penny wise and pound foolish." If a single inpatient hospital admission results from improper MDI usage, it will cost Medicare tens of thousands of dollars in increased costs.

Lastly, Mr. Speaker, I am concerned about the impact on seniors if the Food and Drug Administration [FDA] is allowed to begin banning metered-dose inhalers that contain chlorofluorocarbons [CFC's], as they proposed on March 6, 1997. If HCFA removes coverage for ultrasonic nebulizers, forcing seniors to use metered-dose inhalers, and FDA in turn removes most metered-dose inhalers from the market, seniors will be left with a dramatically

reduced range of therapeutic options at significantly higher prices.

This outcome is completely unacceptable, and that is why my good friend and colleague from Florida, Mr. CLIFF STEARNS, and I have joined in introducing the Senior Citizen Respiratory Care Act of 1997. Congress must act soon to reverse HCFA's "stealth" coverage change, and restore Medicare reimbursement to devices which are safe and effective therapeutic options for seniors with serious respiratory illnesses.

TRIBUTE TO JUDGE MANUEL
REAL

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1997

Mr. CALVERT. Mr. Speaker, California's 43d Congressional District has been extremely fortunate to have many dedicated citizens who have been willing to contribute their time and talents to help make our community an exceptionally good place in which to live and work. One of the most dedicated and active of these citizens has been Judge Manuel Real.

Manuel Real is a U.S. district judge for the Central District of California, a position he has held since being appointed by then-President Lyndon Johnson in 1966. On Friday, October 10, 1997, I will be honored to participate in the opening of a new elementary school in Mead Valley, CA named in honor of Judge Real for its many years of service to the great State of California.

Judge Real first began his distinguished legal career as an assistant U.S. attorney. He left for a short time to enter into private practice before rejoining U.S. Attorney's office until he was appointed a U.S. district judge. During his tenure with the central district court, Judge Real served as the chief judge of the court from 1982–1993.

The students of the new Manuel Real Elementary School should strive to emulate the accomplishments of their school's namesake as well as his dedication to improving the community and its overall quality of life. On behalf of the citizens of the 43d Congressional District, I want to add to this tribute my congratulations, and to wish Manuel, his wife Stella, and their four children best wishes for a happy and productive future.

TRIBUTE TO IRWIN ROSENBERG

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1997

Mr. SHERMAN. Mr. Speaker, I rise today to celebrate the spirit of volunteerism and community involvement and to honor Irwin Rosenberg as the recipient of the 1997 Nelle Reagan Award for Distinguished Community Service. This honor is bestowed upon Irwin for his extensive support for the Olive View-UCLA Medical Center Foundation and his long history of outstanding philanthropic and volunteer leadership in our community.

This prestigious award, named for President Ronald Reagan's mother, Nelle, was devel-

oped with the assistance of the Reagan family to honor dedicated community service. Long-term dedication has been a characteristic of Irwin Rosenberg's long volunteer career, which began at age 14 as a police explorer. By the age 17, he had received 22 commendations, including 1 for bravery.

Throughout his life, Irwin has developed relations with countless volunteer associations in our community. Some of these associations include the City Council for the Disabled, California Association of Physically Handicapped, and the Fair Housing Council of the San Fernando Valley. Irwin has also served as a board member for the United Way, Southern California Association of Governments, Granada Hills Little League and many other organizations. Currently, he serves as the vice-president and commissioner of the Los Angeles City Commission on Children, Youth and Their Families, commissioner of the Los Angeles County Private Industry Council, chairman-elect of New Directions for Youth, and vice-chair/board of managers of North Valley YMCA in addition to various other board memberships. This service represent a mere sampling of Irwin's involvement in our community and his commitment to all facets of helping people.

A former Nelle Reagan Award winner, Tim McBride, said "Irwin brought himself up to be somebody to be admired. He is a mentor and an example of someone who gives unselfishly of himself to help so many." It is this unselfish dedication that has earned Irwin the respect of our community and this award.

Mr. Speaker, distinguished colleagues, please join me in recognizing Irwin Rosenberg for his dedication to our community and in congratulating him on receipt of the 1997 Nelle Reagan Award for Distinguished Community Service. His service stands for all to admire.

IN RECOGNITION OF ST. LOUIS
CARDINAL MARK MCGWIRE

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1997

Mr. GEPHARDT. Mr. Speaker, the city of St. Louis and its baseball Cardinals have been blessed with great teams and great players over the years. Generations of baseball legends wearing the St. Louis Cardinals uniform—Dizzy Dean, Stan Musial, Bob Gibson, Lou Brock, and Ozzie Smith—all played before adoring crowds of St. Louis fans. This past year, we witnessed a legend-in-the-making when slugger Mark McGwire joined the Cardinals and chased baseball immortality. After hitting 58 home runs this season, Mark McGwire's name now joins the record books behind only Roger Maris and the legendary Babe Ruth on the all-time single season home run list.

Mark McGwire was embraced in St. Louis like few sports figures have in the city's history. But it was not only his tremendous feats on the baseball field that attracted fans but also his generous actions off the field. Mark McGwire stands as a role model for our children, teaching them that there are more important things in life than money and fame. His actions off the field show us the importance he places in the values we hold dear—