

E. Faulkner from drowning, Carver, Massachusetts, March 18, 1997. Faulkner, 62, and his wife, 71, were traveling in their automobile on a roadway atop an earthen dam when that section of the dam collapsed beneath them. Their car dropped into the deep, 10-foot-wide gap that was created initially and was pinned against debris by turbulent breach waters from East Head Pond, the adjacent reservoir. Faulkner and his wife were trapped in the car, which began to fill with water. Among the first motorists on the scene were Roderick, 37, heating and air conditioning technician; Meunier, 40, correction officer, and Morrison, 47, sales representative. Roderick obtained a hammer, then jumped onto the submerging car's exposed trunk and broke out the rear window before returning to the roadway. At the edge of the breach, he, Meunier, and Morrison pulled Faulkner, then his wife, from the car to the roadway, with Meunier, held by Roderick and Morrison, extended into the breach to reach the victims. The turbulent rush of water continued to widen the breach, undermining the pavement from which the men acted. Faulkner and his wife required hospitalization for treatment of their injuries.

#### REHABILITATION BENEFITS REINSTATEMENT

### HON. JOHN E. ENSIGN

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 12, 1998*

Mr. ENSIGN. Mr. Speaker, today I rise to introduce the "Reinstatement of the Medicare Rehabilitation Act (RMRA) of 1998." RMRA repeals the \$1,500 annual limits on physical and occupational rehabilitation services established by the Balanced Budget Act of 1997 (BBA) which are set to go into effect on January 1, 1999 and requires the Health Care Financing Administration to implement a budget neutral alternative payment system no later than January 1, 2000.

In a rush to find savings in the Medicare program last year, Congress imposed an arbitrary \$1,500 annual limitation on most outpatient rehabilitation services. Unlike other BBA provisions, the \$1,500 limits were adopted without the benefit of committee hearings or a detailed analysis by HCFA of their likely effects on beneficiaries' ability to obtain medically necessary services.

In fact, analyses undertaken since the enactment of the BBA indicate that implementation of the limits will have a disproportionate effect on the most vulnerable Medicare beneficiaries, including victims of stroke and other debilitating conditions which require concentrated therapy services. A \$1,500 annual payment may be sufficient to address the "average" case, but it will not be adequate for beneficiaries who require more intensive services. The option of transporting non-ambulatory resident of a skilled nursing facility or other rehabilitation setting to an outpatient hospital department will be disruptive to patients and ultimately more costly to the Medicare program. Savings will be achieved only if this inconvenience and disruption cause patients to forgo medically necessary services to which they are entitled under the Medicare program.

More importantly, American seniors have been encouraged to expect Medicare to cover the cost of medically necessary treatment,

subject to reasonable copayments and deductibles. The existence of an arbitrary coverage limitation on otherwise medically necessary services will likely come as a shock to affected beneficiaries and their relatives, often at a time of great stress. Surely, a less disruptive approach can be found to achieve program savings.

VSPA will prevent the \$1,500 annual limitations from taking effect on January 1, 1999 and will require HCFA to develop and implement an alternative payment system for outpatient physical therapy, occupational therapy, and speech-language pathology services. Rather than limiting the availability of medically necessary services by imposing an arbitrary annual dollar limitation, the new system would be based on patient need. Payments would be based on patient classification by diagnostic category and would take into account prior use of services in both inpatient and outpatient setting. Payment rates would be established in a budget neutral manner. Mr. Speaker, I acknowledge that I did not oppose the inclusion of this provision in the Balanced Budget Act. Frankly, we did not understand how unfairly it could affect the most vulnerable of Medicare beneficiaries. Now that we have that information, we should not be reluctant to correct a policy which we now know will cause great hardship and unfairness.

For these reasons, I urge my colleagues to join me in support of the Reinstatement of the Medicare Rehabilitation Benefit Act of 1998.

#### ADOLESCENT COUNCIL WORKSHOPS

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 12, 1998*

Mr. GILMAN. Mr. Speaker, I would like to commend the initiative of two young people who are residents of the Children's Village in Dobbs Ferry, New York who have courageously and creatively confronted a problem within their community.

Tamari Valentine and Nicholas Mercado, ages 14 and 13, have established Adolescent Council Workshops—Sensitivity Workshops with a difference—in response to an ugly incident that had occurred at the Children's Village. Instead of confronting the situation, which arose after some derogatory epithets had been sprayed on some of the residential buildings of the Village, with a response in kind, these young men stood back and thought about the circumstances that had probably motivated this misguided act they believed had been committed by other young people.

The solution Tamari and Nicholas came up with was to create a forum where residents from the Village and other young people from the surrounding community could come together and talk out whatever differences they felt they had between themselves. These meetings soon grew into workshops where the youth of Dobbs Ferry learned that stereotyping a person because of where he lives or his appearance is a barrier to appreciating individuals for who they are and what they have to offer.

The Children's Village Adolescent Council has now conducted more than 40 workshops,

including programs for schools, senior citizens groups, corporations, conferences and local groups. As a recognition of their courage and their creativity, Tamari and Nicholas were recently selected by the Walt Disney Company to participate in the U.S. delegation to the 1998 Children's Summit in Paris. I am proud that they are young constituents of mine and I hope my colleagues in the Congress will join in recognizing their outstanding initiative that promises to build a better future.

#### SPECIAL TRIBUTE HONORING MAUREEN PETERS, LEGRAND SMITH SCHOLARSHIP WINNER

### HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 12, 1998*

Mr. SMITH of Michigan. Mr. Speaker, it is with great respect for the outstanding record of excellence she has compiled in academics, leadership and community service, that I am proud to salute Maureen Peters, winner of the 1998 LeGrand Smith Scholarship. This award is made to young adults who have demonstrated that they are truly committed to playing important roles in our Nation's future.

As a winner of the LeGrand Smith Scholarship, Maureen is being honored for demonstrating that same generosity of spirit, intelligence, responsible citizenship, and capacity for human service that distinguished the late LeGrand Smith of Somerset, Michigan.

Maureen is an exceptional student at Jackson High School and possesses an impressive high school record. Maureen is actively involved in the Student Government and National Honor Society. Maureen is also involved with Varsity soccer, tennis and volleyball. Outside of school, Maureen is involved with her Church Youth Group.

In special tribute, therefore, I am proud to join with her many admirers in extending my highest praise and congratulations to Maureen Peters for her selection as a winner of a LeGrand Smith Scholarship. This honor is also a testament to the parents, teachers, and others whose personal interest, strong support and active participation contributed to her success. To this remarkable young woman, I extend my most heartfelt good wishes for all her future endeavors.

#### HONORING SENECA S. FOOTE, PRESIDENT OF THE UNITED METHODIST RETIREMENT COMMUNITIES, INC. ON HIS RETIREMENT

### HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 12, 1998*

Ms. STABENOW. Mr. Speaker, I am pleased to acknowledge the work of Seneca S. Foote, president of the United Methodist Retirement Communities, Inc.

Mr. Foote has been associated with the church-affiliated retirement communities since his ordination as a United Methodist Church minister 18 years ago. During his tenure, he has overseen major fund-raising, building, and