

Marine Corps nomination of Brian T. Thompson, to be Lieutenant Colonel.

Marine Corps nomination of Brian J. Corris, to be Lieutenant Colonel.

Marine Corps nomination of Kevin R. Williams, to be Lieutenant Colonel.

Marine Corps nomination of Christopher J. Cox, to be Lieutenant Colonel.

Marine Corps nominations beginning with Leonard R. Domitrovits and ending with Robert A. Petersen, which nominations were received by the Senate and appeared in the Congressional Record on January 31, 2012.

Marine Corps nominations beginning with Jerry R. Copley and ending with James R. Towney, which nominations were received by the Senate and appeared in the Congressional Record on January 31, 2012.

Marine Corps nominations beginning with Christopher J. Albright and ending with Christopher M. Osmun, which nominations were received by the Senate and appeared in the Congressional Record on January 31, 2012.

Marine Corps nominations beginning with Winston D. Boyd II and ending with Moses A. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on January 31, 2012.

Marine Corps nominations beginning with Stuart M. Barker and ending with Gregory E. Wrublowski, which nominations were received by the Senate and appeared in the Congressional Record on January 31, 2012.

Marine Corps nominations beginning with Ladaniel Dayzie and ending with Agileo J. Ylanan, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 31, 2012.

Marine Corps nominations beginning with Arlington A. Finch, Jr. and ending with Kevin M. Tscherch, which nominations were received by the Senate and appeared in the Congressional Record on January 31, 2012.

Marine Corps nomination of Timothy T. Rybinski, to be Lieutenant Colonel.

Navy nomination of Willis E. Everett, to be Lieutenant Commander.

Navy nomination of James T. Gilson, to be Lieutenant Commander.

Navy nomination of Christopher A. Martino, to be Commander.

Navy nominations beginning with Kenneth B. Hockycko and ending with Adejose R. Mckoy, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2012.

Navy nomination of John A. Lang, to be Lieutenant Commander.

Navy nomination of David A. Czachorowski, to be Lieutenant Commander.

Navy nomination of Kelly P. Coffey, to be Commander.

Navy nominations beginning with Jason A. Althouse and ending with Joshua L. Wright, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2012.

Navy nomination of James Gilford III, to be Lieutenant Commander.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself, Mr. BINGAMAN, Mr. CONRAD, Ms. SNOWE, Mr. WHITEHOUSE, and Mr. LAUTENBERG):

S. 2123. A bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 2124. A bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Ms. SNOWE, and Mr. GRASSLEY):

S. 2125. A bill to amend title XVIII of the Social Security Act to modify the designation of accreditation organizations for orthotics and prosthetics, to apply accreditation and licensure requirements to suppliers of such devices and items for purposes of payment under the Medicare program, and to modify the payment rules for such devices and items under such program to account for practitioner qualifications and complexity of care; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. SANDERS):

S. 2126. A bill to amend the Food, Conservation, and Energy Act of 2008 to extend and improve the milk income loss contract program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY:

S. 2127. A bill to protect State and local witnesses from tampering and retaliation, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. BEGICH, and Mrs. SHAHEEN):

S. 2128. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to clarify that all veterans programs are exempt from sequestration, and for other purposes; to the Committee on the Budget.

By Mr. LIEBERMAN (for himself and Mr. WARNER):

S. 2129. A bill to provide for reforming and consolidating agencies of the Federal Government to improve efficiency and effectiveness; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Florida:

S. 2130. A bill to direct the Secretary of Interior to establish a veterans conservation corps, and for other purposes; to the Committee on Veterans' Affairs.

#### ADDITIONAL COSPONSORS

S. 546

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 546, a bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes.

S. 1734

At the request of Mr. CORKER, the names of the Senator from Georgia

(Mr. CHAMBLISS) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1734, a bill to provide incentives for the development of qualified infectious disease products.

S. 1763

At the request of Mr. AKAKA, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1763, a bill to decrease the incidence of violent crimes against Indian women, to strengthen the capacity of Indian tribes to exercise the sovereign authority of Indian tribes to respond to violent crimes committed against Indian women, and to ensure that perpetrators of violent crimes committed against Indian women are held accountable for that criminal behavior, and for other purposes.

S. 1845

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1845, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 1853

At the request of Mr. SANDERS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1853, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, eliminate the requirement that the United States Postal Service pre-fund the Postal Service Retiree Health Benefits Fund, place restrictions on the closure of postal facilities, create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1925

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

S. 1981

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1981, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 2122

At the request of Mr. PAUL, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 2122, a bill to clarify the definition of navigable waters, and for other purposes.

## AMENDMENT NO. 1520

At the request of Mr. BLUNT, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 1520 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## AMENDMENT NO. 1540

At the request of Mr. BLUNT, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of amendment No. 1540 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## AMENDMENT NO. 1572

At the request of Mr. LEVIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 1572 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## AMENDMENT NO. 1590

At the request of Mr. DEMINT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 1590 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## AMENDMENT NO. 1621

At the request of Ms. MURKOWSKI, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 1621 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## AMENDMENT NO. 1678

At the request of Mrs. SHAHEEN, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 1678 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## AMENDMENT NO. 1679

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1679 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## AMENDMENT NO. 1701

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1701 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## AMENDMENT NO. 1707

At the request of Mrs. GILLIBRAND, the name of the Senator from New

York (Mr. SCHUMER) was added as a cosponsor of amendment No. 1707 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Ms. SNOWE, and Mr. GRASSLEY):

S. 2125. A bill to amend title XVIII of the Social Security Act to modify the designation of accreditation organizations for orthotics and prosthetics, to apply accreditation and licensure requirements to suppliers of such devices and items for purposes of payment under the Medicare program, and to modify the payment rules for such devices and items under such program to account for practitioner qualifications and complexity of care; to the Committee on Finance.

Mr. WYDEN. Mr. President, I rise today on behalf of patients, practitioners and the American taxpayer to introduce the Medicare Orthotics and Prosthetics Improvement Act of 2012 with my colleagues, Senators SNOWE and GRASSLEY.

The current orthotics and prosthetics, O&P, market is ripe for fraud and abuse. Unqualified and dishonest practitioners are taking advantage of patients and Medicare by providing substandard O&P products and manipulating the Medicare payment system. No rule has been implemented on the Federal level which would require these practitioners and providers to be licensed or accredited, despite calls from Congress to do so, and therefore all comers are able to bill Medicare on the taxpayer's dime.

Congress and the Centers for Medicare and Medicaid Services have tried to address this issue in the past, but have come up short. In both 2000 and 2003, Congress passed legislation which should have increased the qualification standards for these providers. Unfortunately, nothing came of these efforts and a decade later we have a system in place that does little to discourage fraud and abuse in these fields.

One department, however, has stepped up and taken the lead on this issue: the Department of Veterans Affairs. After a program evaluation showed that VA O&P Laboratories did not meet quality standards they changed their policy so that only accredited laboratories and individuals may fabricate prostheses and orthoses.

The rest of the country must follow the VA's lead in order to ensure that patients from Oregon to Maine have access to high quality orthotics and prosthetics from a trusted source. Our legislation accomplishes this goal through measures that would improve the oversight of O&P practitioners.

The Medicare Orthotics and Prosthetics Improvement Act would get rid of unqualified practitioners by prohibiting CMS from making any Medicare

payment for orthotics and prosthetics to a practitioner who has not secured a license in those states that require licensure. Again, this requirement was issued by CMS in 2005 but has not yet been implemented. Practitioners in states without licensure requirements would need to become accredited in order to continue practicing. The accreditation standard would be identical to the standard adopted by the Veterans Administration in 2004.

The legislation goes a step further by requiring that the Medicare payment is matched to the qualification of the provider and the complexity of the patient's needs and the device provided. This provision will protect patients from suppliers with little or no education and training to provide comprehensive O&P services, while rewarding providers who have secured more advanced training and practice on more complex patients.

These common sense reforms will benefit patients, qualified practitioners and taxpayers. I urge my colleagues to join Senators SNOWE, GRASSLEY and me in supporting this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

## S. 2125

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Medicare Orthotics and Prosthetics Improvement Act of 2012".

**SEC. 2. MODIFICATION OF REQUIREMENTS APPLICABLE UNDER MEDICARE TO DESIGNATION OF ACCREDITATION ORGANIZATIONS FOR SUPPLIERS OF ORTHOTICS AND PROSTHETICS.**

(a) IN GENERAL.—Section 1834(a)(20)(B) of the Social Security Act (42 U.S.C. 1395m(a)(20)(B)) is amended—

(1) by striking "ORGANIZATIONS.—Not later than" and inserting "ORGANIZATIONS.—

"(i) IN GENERAL.—Subject to clause (ii), not later than"; and

(2) by adding after clause (i), as added by paragraph (1), the following new clauses:

"(ii) SPECIAL REQUIREMENTS FOR ACCREDITATION OF SUPPLIERS OF ORTHOTICS AND PROSTHETICS.—For purposes of applying quality standards under subparagraph (A) for suppliers (other than suppliers described in clause (iii)) of items and services described in subparagraph (D)(ii), the Secretary shall designate and approve an independent accreditation organization under clause (i) only if such organization is a Board or program described in subsection (h)(1)(F)(iv). Not later than January 1, 2013, the Secretary shall ensure that at least one independent accreditation organization is designated and approved in accordance with this clause.

"(iii) EXCEPTION.—Suppliers described in this clause are physicians, occupational therapists, or physical therapists who are licensed or otherwise regulated by the State in which they are practicing and who receive payment under this title, including regulations promulgated pursuant to this subsection."

(b) EFFECTIVE DATE.—An organization must satisfy the requirement of section 1834(a)(20)(B)(ii), as added by subsection