b) Sense of the Senate.—It is the sense of the Senate that—

(1) every patient who is denied care by a health maintenance organization or other health insurance company should be entitled to a fair, speedy, impartial appeal to a review organization that has not been selected by the health plan;

(2) the States should be empowered to maintain and develop the appropriate processes for selection of the independent external review entity;

(3) a child battling a rare cancer whose health maintenance organization has denied covered treatment recommended by its physician should be entitled to a fair and impartial external appeal to a review organization that has not been chosen by the organization or plan that has denied the care; and

(4) patient protection legislation should not preempt existing State laws in States where there already are strong laws in place regarding the selection of independent review organizations.

SEC. 606. ANNUAL REVIEW.

(a) In General.—Not later than 24 months after the date of enactment referred to in section 501(a)(1), and annually thereafter for each of the succeeding 4 calendar years (or in any legal status or legal right applicable to any member of the species homo sapiens at any point prior to being born alive as defined in this section).:

(b) Limitation With Respect to Certain Plans.—If the Secretary, in any report submitted under subsection (a), determines that more than 1,000,000 individuals in the United States have lost their health insurance coverage as a result of the enactment of this Act, as compared to the number of individuals with health insurance coverage in the 12-month period preceding the date of enactment of this Act, section 402 of this Act shall be repealed effective on the date that is 12 months from the date on which the report is submitted, and the submission of any further reports under subsection (a) shall not be required.

(c) Funding.—From funds appropriated to the Department of Health and Human Services for fiscal years 2003 and 2004, the Secretary of Health and Human Services shall provide for funding a study necessary for the conduct of the study of the National Academy of Sciences under this section.

SEC. 607. DEFINITION OF BORN-Alive INFANT.

(a) In General.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following:


(b) As used in this section, the term ‘born alive’, with respect to a member of the species homo sapiens who is born alive at any stage of development,

Bankruptcy Abuse Prevention and Consumer Protection Act of 2005—Motion to Proceed

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 17, H.R. 333, the House bankruptcy reform bill.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSSTONE. I object.

The PRESIDING OFFICER. Object is heard.

Mr. REID. Mr. President, therefore, I move to proceed to the consideration of H.R. 333, and I will send a cloture motion to the desk. I also ask unanimous consent that on Thursday, July 12, beginning at 9 a.m., there be a period for debate of 3 hours prior to the cloture vote to be divided as follows: 2 hours under Senator WELLSTONE’s control, and 1 hour equally divided between the chairman and ranking member of the Judiciary Committee or their designees; that if cloture is invoked, the Senate proceed to the bill by consent and Senator LEAHY, or his designee, be recognized to offer the text of S. 420, the Senate-passed bankruptcy bill, as a substitute amendment; that if a cloture motion is filed on that amendment, the cloture motion on the substitute amendment must be divided as follows: 2 hours under the control of the senior Senator from Minnesota, Mr. WELLSTONE, and 1 hour equally divided between the chairman and ranking member of the Judiciary Committee, or their designees; that once the substitute amendment has been offered and cloture filed, the bill be laid aside until Tuesday, July 17; and that both mandatory quorum calls be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Orders for Tuesday, July 10, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate resumes consideration of the supplemental appropriations bill tomorrow, Tuesday, at 10 a.m., there be 2 hours of concurrent debate equally divided between Senator CONRAD, or his designee, in relation to the amendments made to the Senate-passed bankruptcy bill.

The PRESIDING OFFICER. Mr. WELLSTONE. Without objection, it is so ordered.

Mr. REID. Mr. President, I also announce to the Senate that there will be every attempt made to have a vote at 2:15 p.m. on this or in relation to these two amendments. We are working on that now. We were very close to having agreement on that but were unable to do it.

Program

Mr. REID. Mr. President, on Tuesday, the Senate will convene at 10 a.m. and resume consideration of the supplemental appropriations bill. The Senate is going to recess from 12:30 to 2:15 for the weekly party conferences. Rolcall votes are expected as the Senate works