

Review of Congressional Action 2000

Save to myBoK

by Donald D. Asmonga

The 106th Congress dragged more than two months beyond its targeted adjournment date, wrangling about fiscal year 2001 budget matters.

Congress finally adjourned on December 15, after passing a massive \$384 billion omnibus spending package (HR 4577) that included a five-year \$35 billion package to remedy Medicare funding cuts initiated by the Balanced Budget Act of 1997. The package provides \$14 billion for hospitals, \$7 billion for direct benefits to beneficiaries, \$11 billion for managed care companies, \$1.7 billion for home health agencies, and \$1.6 billion for nursing homes.

Congress had lofty goals when the second session of the 106th Congress began in January 2000. Pressing health items on the agenda included a patients' rights bill, a prescription drug benefit program for Medicare and Medicaid beneficiaries, a health information confidentiality bill, and the late-session goal of passing a bill to restore Medicare funding cuts. However, patients' rights legislation, the prescription drug benefit program, and confidentiality legislation fell by the wayside. In short, Congress had a lackluster year in terms of passing healthcare-related legislation.

Although numerous hearings were held on health information confidentiality issues, Congress failed to complete any substantial legislative progress on health information confidentiality legislation. At the end of the 106th Congress, the following nine confidentiality bills were left for dead:

- S 573, the Medical Information Privacy and Security Act
- S 578, the Health Care Personal Information Nondisclosure "PIN" Act
- S 881, the Medical Information Privacy and Security Act
- HR 1057, the Medical Information Privacy and Security Act
- HR 1941, the Health Information Privacy Act
- HR 2404, the Personal Medical Information Protection Act
- HR 2455, the Consumer Health and Research Technology "CHART" Act
- HR 2470, the Medical Information Protection and Research Enhancement Act
- HR 2878, the Medical Privacy in the Age of New Technologies Act

Congress also failed to pass legislation establishing a commission to complete a comprehensive study of the wide range of privacy issues facing the nation. HR 4049, the Privacy Commission Act, suffered an untimely defeat on the floor of the House of Representatives even though it garnered substantial bipartisan support.

Healthcare-related action that Congress enacted into public law includes:

- PL 106-229: a bill to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces. This public law concerns the legal use of the electronic signature
- PL 106-310: a bill to amend the Public Health Service Act with respect to children's health
- PL 106-345: a bill to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to healthcare and the quality of healthcare under such programs, and to provide for the development of increased capacity to provide healthcare and related support services to individuals and families with HIV
- PL 106-354: a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program; to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus

- PL 106-433: a bill to amend title 31, United States Code, to prohibit the appearance of Social Security account numbers on or through unopened mailings of checks or other drafts issued on public money in the Treasury

Although Congress adjourned on December 15, the Congressional Record's "Resume of Congressional Activity" had not been updated at press time to reflect the final days of the session. The following activity represents congressional action from the convening of the second session of the 106th Congress on January 24, 2000, to November 24, 2000:

- 4,149 measures introduced (1,519 in the Senate; 2,630 in the House)
- 354 public bills enacted into law
- 6 bills vetoed
- 0 veto overrides
- 240 recorded votes and 3 quorum calls taken in the House
- 294 roll call votes and 6 quorum calls taken in the Senate
- 23,473 pages of House and Senate proceedings printed in the Congressional Record
- 134 days in session for the Senate equaling 989 hours and 41 minutes
- 126 days in session for the House equaling 1,046 hours and 36 minutes

Outlook for the 107th Congress

The 107th Congress is going to be an interesting study in legislative operations. With a Senate that is evenly divided at 50 Democrats and 50 Republicans and a House that has 221 Republicans, 212 Democrats, and two independents, Congress will either be a traffic jam or a lesson in cooperation. When Congress returns in 2001, we can expect to see the return of many of the issues that were left unfinished from the 106th Congress, including health information confidentiality legislation. Congress will also attempt once again to pass patients' rights legislation, Medicare reform including a prescription drug benefit plan, genetic privacy and nondiscrimination measures, various consumer privacy issues, and many other healthcare-related measures.

AHIMA Activity in 2000

The AHIMA Washington, DC, office played a central role on numerous public policy fronts in 2000. The policy and government relations team spent significant time in direct lobbying activities including attending hearings, reviewing legislation and regulations, and meeting and corresponding with congressional and regulatory staff.

Through our efforts, AHIMA has expressed its positions on a multitude of issues through a variety of means. 2000 highlights include:

- Linda Kloss, MA, RHIA, CEO and executive vice president, and Don Asmonga, government relations manager, met with Peter P. Swire, chief counselor for privacy of the Executive Office of the President of the United States, to discuss health information privacy issues, including the HIPAA Proposed Standards for Privacy of Individually Identifiable Health Information
- the AHIMA policy and government relations team was contacted by the President's Office of the Chief Counselor for Privacy and the Department of Health and Human Services to participate in fact-finding calls on specific aspects of the proposed HIPAA privacy rule
- AHIMA's "Day on the Hill" resulted in congressional meetings, including more than 70 appointments for 37 AHIMA members representing 23 states
- AHIMA's integral involvement with developing and advocating for the Privacy Commission Act and several health information confidentiality bills
- Dan Rode, FHFMA, joined AHIMA as the new vice president for policy and government relations

With assistance from AHIMA staff, members, and the AHIMA legislative committee, the policy and government relations team effectively reviewed congressional legislation and federal regulations. The assistance was instrumental in developing positions on a range of public policy issues and creating documents such as the review of the HIPAA transactions and code sets final rule at www.ahima.org.

Donald Asmonga is AHIMA's government relations manager. He can be reached at don.asmonga@ahima.org.

Article citation:

Asmonga, Donald D. "A Review of Congressional Action 2000." *Journal of AHIMA* 72, no.2 (2001): 16,18.

Driving the Power of Knowledge

Copyright 2022 by The American Health Information Management Association. All Rights Reserved.