

Chairman Dingell at the Subcommittee on Health Markup of H.R. 5613, "Protecting the Medicaid Safety Net Act of 2008"

Statement of Congressman John D. Dingell, Chairman
Committee on Energy and Commerce

SUBCOMMITTEE ON HEALTH MARKUP ON "H.R. 5613, PROTECTING THE MEDICAID SAFETY NET ACT OF 2008"

April 9, 2008

I thank the Subcommittee Chairman for moving expeditiously to consider H.R. 5613, the "Protecting the Medicaid Safety Net Act of 2008." I also thank Representative Murphy for his leadership on this legislation. With his professional background in mental health and disability issues, Mr. Murphy understands better than most the severe effect these regulations would have on those populations.

I also thank Ranking Member Deal and Barton for working with us to reach agreement on the substance of this legislation. In accordance with that agreement, we have made changes to the bill language that I will explain at the appropriate time.

The moratorium on the seven regulations in H.R. 5613 is, unfortunately, necessary. The Administration is moving forward to implement them without a thorough and proper examination of the issues and the effect these regulations will have on the States and the people served by this program. That is evidenced by how it has chosen to consider – or in this case ignore - the public comments submitted on the regulations.

More than 1,800 public comments were submitted on the rehabilitation rule – not one in support. Yet the Administration pressed ahead. The same is true with the rules relating to school-based services, provider taxes, and payments to governmental providers. Each of these rules received only one comment in support, and hundreds more in opposition. In the Administration's haste to enact these rules, they have put in jeopardy needed services and protections for millions of vulnerable beneficiaries, as well as support for critical safety net institutions.

At last week's legislative hearing on this bill, the GAO indicated that it investigated only one of the programs in question. Further, on the one program it did investigate, the GAO did not recommend that the program be significantly curtailed or eliminated.

But we did hear from a pediatrician who noted the great harm to important services that help children grow and develop. And we heard from a school administrator as to how payments would be eliminated for the coordination and referral services that the school provides to ensure that children with disabilities have access to needed care.

More than 2,000 organizations representing beneficiaries, providers, schools, and States have written to lend their support to this initiative. They range from "A" – the American Hospital Association and the American Academy of Pediatrics - to "Z" – the Zion Lutheran Elementary School in Nebraska. The chorus of support has been overwhelming.

I look forward to moving this bill through Committee and to the floor as quickly as possible. I again thank those working with us, especially my colleagues on the Republican side, and look forward to continuing our cooperative efforts as we move this legislation through the process.

Prepared by the Committee on Energy and Commerce
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