



The Daily Whip

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THURSDAY, JULY 27, 2006

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Ten "One Minutes" Per Side	???

*(208th Calendar Day of the Year – 67th Voting Day of the Year – 16 Voting Days until Target Adjournment)***FLOOR SCHEDULE AND BILL SUMMARY**

[H.Res. 946](#) - Rule providing for consideration of the Conference Report on **[S. 250](#)** - Carl D. Perkins Career and Technical Education Improvement Act of 2005 (*Rep. Bishop (UT) - Rules*). The Rules Committee has recommended a closed rule that provides one hour of debate.

[H.Res. 952](#) – Rule providing for consideration of **[H.R. 4157](#)** – Health Information Technology Promotion Act of 2005 (*Rep. Lincoln Diaz-Balart - Rules*). The Rules Committee has recommended a rule that provides one hour of general debate, provides one motion to recommit with or without instructions, and makes in order six amendments which are debatable for 10 minutes each.

Conference Report on [S. 250](#) - Carl D. Perkins Career and Technical Education Improvement Act of 2005 (*Sen. Enzi - Education and the Workforce*) (Subject to a Rule). The Conference Report reauthorizes the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins Act). The House bill passed last year with a vote of 416-9 and rejected calls by the Administration to eliminate the program. The Perkins Act represents the largest federal investment in secondary education and funds career and technical education programs at the secondary and post-secondary level. The Conference Report continues federal support for programs at the state and local level and retains a separate authorization for the Tech Prep program. Tech Prep allows students to participate in a 4 or 5 year, coordinated and seamless career and technical education program that results in the receipt of an associate or baccalaureate program and technical skills credentials. The Conference Report gives States the choice of continuing Tech-Prep or consolidating funds with the State grant for career technical activities. The Conference Report retains the 5 percent set aside for state administrative activities. The Conference Report provides for increased integration of challenging academics with career and technical education content in professional development and instruction; emphasizes the role of math, science and technology skills in preparing students for high wage, high skill, high demand occupations; supports program improvement with a new accountability system at the state and local level and new performance measures for secondary and post-secondary programs; and maintains support for training in non-traditional fields and continued access to career and technical education for individuals with disabilities, single and pregnant teens, and displaced homemakers.

[H.R. 4157](#) – Health Information Technology Promotion Act of 2005 (*Rep. Johnson {CT} – Energy and Commerce*). This bill codifies an office in the Department of Health and Human Services to focus on Health Information Technology (HIT) and tasks it with the development and adoption of standards that will allow providers, health plans, the government and others to communicate with each other. However, by leaving full discretion in the hands of the Secretary, the bill fails to actually require standards in key healthcare areas. In addition, the bill does nothing to encourage the adoption of these standards and does not even require the government itself to utilize them. [H.R. 4157](#) falls short on providing meaningful funding for physicians, hospitals and other providers to invest in health information technology - it only authorizes \$40 million over two years to a select group of providers. Instead of direct funding, the bill loosens current fraud and abuse laws to allow hospitals, group practices, prescription drug plan sponsors, and Medicare Advantage organizations and anyone else after 2001 to give free health information technology, maintenance, service, training and more to other providers. These anti-fraud laws (known as the Stark self-referral and anti-kickback laws) protect Medicare and Medicaid as well as patients against biased decision-making by doctors, and ensure that doctors are not referring patients to a specific hospital or other provider because of free gifts they are receiving.

In addition, [H.R. 4157](#) expands the number of codes used by insurers, hospitals and providers in diagnosis and billing for Medicare by October 1, 2010 in order to allow better billing and tracking of trends and medical outcomes in treatments; and contains a study on variation in current state privacy laws. However, the bill does not take any action to fill in the gaps in federal privacy law that exist today. Current federal privacy law does not regulate or cover all people who may handle private health information. It does not require the consent of an individual to have their health information shared over widely accessible, online health information networks. Nor does it require that a person be notified if their information is violated or allow them to directly get redress.



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The rule makes in order the following amendments:

- **Hinojosa Amendment.** To improve the availability of information and resources for individuals with low literacy.
- **Towns Amendment.** To require a study that provides benchmarks for best practices and cost effectiveness for the use of Health Information Technology in medically underserved areas.
- **Jackson Amendment.** To ensure that emergency contact information or next of kin information is included in any process to modernize medical records.
- **Cuellar Amendment.** To clarify that a priority of the integrated health system grant program is the improved coordination of care for the uninsured, underinsured, and medically underserved residing in geographically isolated areas or underserved urban areas.
- **Price (GA) Amendment.** To require the Secretary of Health and Human Services to submit a report to Congress, which evaluates: the applicability of health care classification methodologies and codes for purposes beyond the coding services for diagnostic documentation or billing purposes; the usefulness, accuracy, and completeness of such methodologies and codes for such purposes; and the capacity of such methodologies and codes to produce erroneous or misleading information, with respect to such purposes.
- **McMorris/Adam Smith Amendment.** To direct the Secretary of Health and Human Services to establish a two year project to demonstrate the impact of health information technology on disease management for chronic disease sufferers within the Medicaid population. There is no authorization of funding and it requests a report at the conclusion of the demonstration.

Postponed Votes:

- 1) **George Miller Motion to Instruct Conferees on [H.R. 2830](#) – Pension Protection Act of 2005.** The motion instructs conferees to agree to the Senate provisions known as "wearaway" protecting older workers' benefits in cash balance conversions; agree to the Senate provisions that ensure that airline pilots do not see unfair cuts to their PBGC benefits because of the FAA's mandatory retirement rules; agree to the Senate provisions that give airlines the ability to keep their plans going by stretching out payments over 20 years instead of 7 years; agree to the Senate provisions designed to prevent pension plan dumping under bankruptcy proceeding; and agree to the Senate provisions on executive compensation that treat worker and executive pensions equally when pension plans are underfunded.
- 2) **August adjournment resolution.**
- 3) **[H.Res. 844](#)** - Congratulating the International AIDS Vaccine Initiative on ten years of significant achievement in the search for an HIV/AIDS vaccine (*Rep. Engel - International Relations*)

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: on Friday, the House may meet at 9:00 a.m. to complete the week's remaining legislative business. The House may consider: **[H.R. 2830](#) – Pension Conference Report** (*Rep. Boehner – Education & the Workforce/Rep. Thomas - Ways & Means*); **a Bill Thomas Estate Tax proposal**; and **[H.R. 5766](#) - Government Efficiency Sunset Act** (*Rep. Tiahrt - Government Reform*).

Daily Quote...

"Contract spending by the Department of Homeland Security has surged by billions of dollars since the agency's creation in 2003, but contracts have been plagued by large-scale waste, abuse and mismanagement, according to a bipartisan congressional report."

- From the *Los Angeles Times* this morning