

ment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond his control.” In 1977, the United States signed the International Covenant on Economic, Social, and Cultural Rights, which, in Article 12, requires states to “Create conditions which would assure to all medical services and medical attention in the event of sickness.”

Furthermore, after World War II, the United States tried Nazi officials at Nuremberg, for denying medical care to what the Nazis deemed “useless eaters.” These practices were termed, “crimes against humanity.”

Under the current state of the U.S. health care system, especially the practices of the HMOs and managed care, the United States is in violation of both these international declarations and covenants, as well as the rulings of the Nuremberg Tribunal.

For these reasons, it is imperative that the U.S. Congress pass “The Right to High Quality Health Care Act,” which establishes the right to the highest quality health care available to every person, abolishes the practice of managed care, and re-affirms the principles of the Hill-Burton Act, as the governing framework for U.S. health care policy.

Any Congressman who does not support this legislation, should be driven from office.

How the Congress Voted

Below is a list of Republican Senators who protected HMOs and managed care companies and their human rights violations against Americans, by voting against the Bipartisan Patients’ Bill of Rights (S. 6) in July 1999:

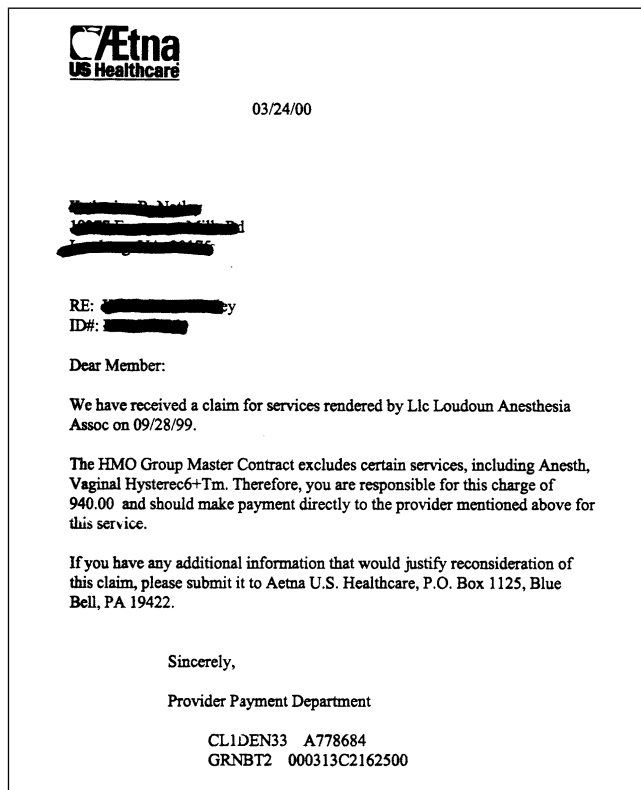
Abraham (Mich.); Allard (Colo.); Ashcroft (Mo.); Bennett (Utah); Bond (Mo.); Brownback (Kan.); Bunning (Ky.); Burns (Mont.); Campbell (Colo.); Cochran (Miss.); Collins (Me.); Coverdell (Ga.); Craig (Id.); Crapo (Id.); DeWine (Ohio); Domenici (N.M.); Enzi (Wyo.); Frist (Tenn.); Gorton (Wash.); Gramm (Tex.); Grams (Minn.); Grassley (Iowa); Gregg (N.H.); Hagel (Neb.); Hatch (Utah); Helms (N.C.); Hutchinson (Ark.); Hutchison (Tex.); Inhofe (Okla.); Jeffords (Vt.); Kyl (Ariz.); Lott (Miss.); Lugar (Ind.); Mack (Fla.); McCain (Ariz.); McConnell (Ky.); Murkowski (Ak.); Nickles (Okla.); Roberts (Kan.); Roth (Del.); Santorum (Pa.); Sessions (Ala.); Shelby (Ala.); Smith (N.H.); Smith (Oreg.); Snowe (Me.); Specter (Pa.); Stevens (Ak.); Thomas (Wyo.); Thompson (Tenn.); Thurmond (S.C.); Voinovich (Ohio); Warner (Va.).

The House Vote

For five years, the House Republican leadership has opposed any true HMO patient protections, and has refused to allow even a single subcommittee vote on the Bipartisan Patients’ Bill of Rights—despite national support from patients, physicians, hospitals, advocacy groups, and employers. House Speaker Dennis Hastert (R-Ill.) used every trick that House Majority Whip Tom DeLay (R-Tex.) handed him, to defeat the bill in the House. When it became clear that a bipartisan majority was forming in the House that would pass the bill, Hastert brought up several bills which would allegedly expand assistance to the uninsured, but in fact would allow proliferation of plans which would skirt the protections in the Patients’ Bill of Rights. On Oct. 7, 1999, the Patients’ Bill of Rights, renamed the Bipartisan Consensus Managed Care Improvement Act (H.R. 2723), was passed 275-151 as an amendment to the GOP “Uninsured Help” or “Affordable Health” bill, H.R. 2990.

The full list of those who voted *against* patients’ rights, and to continue murderous managed care policies, follows. They are Republicans unless otherwise indicated:

Aderholt (Hi.); Archer (Tex.); Armey (Tex.); Baker (La.); Ballenger (N.C.); Barrett (Neb.); Bartlett (Md.); Barton (Tex.); Bass (N.H.); Bereuter (Neb.); Biggert (Ill.); Bliley (Va.); Blunt (Mo.); Boehner (Ohio); Bonilla (Tex.); Bryant (Tenn.); Burr (N.C.); Burton (Ind.); Buyer (Ind.); Calvert (Calif.); Camp (Mich.); Campbell (Calif.); Chabot (Ohio); Chenoweth-Hage (Id.); Collins (Ga.); Combest (Tex.); Cox (Calif.); Crane (Ill.); Cubin (Wyo.); Cunningham (Calif.); Deal



An example of the murderous policies of HMOs: Six months after an HMO member had a hysterectomy, which her HMO had authorized, Aetna/US Healthcare informed her that anesthesia was not included in her benefits for such a surgical procedure.

(Ga.); DeLay (Tex.); DeMint (S.C.); Dickey (Ark.); Doolittle (Calif.); Dreier (Calif.); Dunn (Wash.); Ehlers (Mich.); Ehrlich (Md.); Emerson (Mo.); English (Pa.); Everett (Ala.); Ewing (Ill.); Fletcher (Ky.); Fossella (N.Y.); Fowler (Fla.); Gekas (Pa.); Gillmor (Ohio); Goode (D-Va.); Goodlatte (Va.); Goodling (Pa.); Goss (Fla.); Green (Wisc.); Gutknecht (Minn.); Hansen (Utah); Hastert (Ill.); Hastings (Wash.); Hayes (N.C.); Hayworth (Ariz.); Herger (Calif.); Hill (Mont.); Hilleary (Tenn.); Hobson (Ohio); Hoekstra (Mich.); Hostettler (Ind.); Houghton (N.Y.); Hutchinson (Ark.); Isakson (Ga.); Istook (Okla.); Johnson (Conn.); Johnson, Sam (Tex.); Kasich (Ohio); Kingston (Ga.); Knollenberg (Mich.); Kolbe (Ariz.); Kuykendall (Calif.); LaHood (Ill.); Largent (Okla.); Latham (Iowa); Lazio (N.Y.); Lewis (Calif.); Lewis (Ky.); Linder (Ga.); Lucas (Okla.); Manzullo (Ill.); McCrery (La.); McInnis (Colo.); McIntosh (Ind.); McKeon (Calif.); Metcalf (Wash.); Mica (Fla.); Miller (Fla.); Miller, Gary (Calif.); Myrick (N.C.); Nethercutt (Wash.); Ney (Ohio); Northup (Ky.); Nussle (Iowa); Ose (Calif.); Oxley (Ohio); Packard (Calif.); Paul (Tex.); Regula (Ohio); Riley (Ala.); Rogan (Calif.); Rogers (Ky.); Rohrabacher (Calif.); Royce (Calif.); Ryan (Wisc.); Ryun (Kan.); Salmon (Ariz.); Sanford (S.C.); Schaffer (Colo.); Sensenbrenner (Wisc.); Shadegg (Ariz.); Shimkus (Ill.); Simpson (Id.); Skeen (N.M.); Smith (Mich.); Smith (Tex.); Souder (Ind.); Stearns (Fla.); Stump (Ariz.); Sununu (N.H.); Talent (Mo.); Tancredo (Colo.); Tauzin (La.); Taylor (N.C.); Terry (Neb.); Thomas (Calif.); Thune (S.D.); Tiahrt (Kan.); Toomey (Pa.); Upton (Mich.); Walden (Oreg.); Watkins (Okla.); Watts (Okla.); Weller (Ill.); Whitfield (Ky.); Wicker (Miss.); Young (Ak.).

Not Voting on H.R. 2723 were:

Clyburn (D-S.C.); Granger (R-Tex.); Hulshof (R-Mo.); Kaptur (D-Ohio); Portman (R-Ohio); Sabo (D-Minn.); Scarborough (R-Fla.); Shuster (R-Pa.).

Conference Committee

Now, the House version, a combination of the Bipartisan Consensus Managed Care Improvement Act (H.R. 2723) and H.R. 2990, and the Senate version, S. 1344, the Republican-passed bill that *broadens the rights of HMOs*, have been to conference. So far, nothing conclusive has emerged from the conference committee.

Traditionally, conference committee members are chosen from the committees of jurisdiction, and may include other members who were instrumental in crafting the bill at issue. Hastert ignored this in his Nov. 3 appointments to the committee. Of the 14 Republican members he appointed, 13 opposed the Bipartisan Patients' Bill of Rights. Norwood (R-Ga.), Ganske (R-Iowa), and Coburn (R-Okla.), all members of the Commerce Committee's Health subcommittee, and all instrumental in drafting the Bipartisan Consensus bill, were all excluded from the conference committee.

Other House Republican conferees are: Bill Archer (Tex.); Michael Bilirakis (Fla.); Tom Bliley (Va.); John A. Boehner (Ohio); Dan Burton (Ind.); Ernie Fletcher (Ky.); Por-

ter Goss (Fla.); Nancy L. Johnson (Conn.); Joe Scarborough (Fla.); John Shadegg (Ariz.); Jim Talent (Mo.); and Bill Thomas (Calif.). The House Democratic conferees are: John Dingell (Mich.); Marion Berry (Ak.); William L. Clay (Mo.); Robert Andrews (N.J.); Frank Pallone (N.J.); Charles Rangel (N.Y.); Pete Stark (Calif.); and Henry Waxman (Calif.).

The Senate Republican conferees are: James Jeffords (Vt.); William Frist (Tenn.); Tim Hutchinson (Ark.); Don Nickles (Okla.); Phil Gramm (Tex.); Mike Enzi (Wyo.); and Judd Gregg (N.H.). The Senate Democratic conferees are Edward Kennedy (Mass.); Christopher Dodd (Conn.); Tom Harkin (Iowa); Barbara Mikulski (Md.); and John Rockefeller (W.V.).

The Hill-Burton Act

The Hill-Burton Act became law on Aug. 13, 1946, as Public Law 725. The official title is, "Hospital Survey and Construction Act," and the document is nine pages in length. The chief sponsor was Sen. Lister Hill (D-Ala.). The act was an amendment to the Public Health Service Act, which authorized grants to the states for surveying their hospitals and public health centers and for planning construction of additional facilities, and it authorized grants to assist in such construction. The law was extended in several subsequent acts of Congress.

The following are excerpts from 42 U.S.C. 291 et seq., which are, at present, incorporated into current U.S. law by the Hill-Burton Act.

291. Declaration of Purpose

The purpose of this title is

(a) to assist the several States in the carrying out of their programs for the construction and modernization of such public or other nonprofit community hospitals and other medical facilities as may be necessary, in conjunction with existing facilities, to furnish adequate hospital, clinic, or similar services to all their people;

(b) to stimulate the development of new or improved types of physical facilities for medical, diagnostic, preventive, treatment, or rehabilitative services; and

(c) to promote research, experiments, and demonstrations relating to the effective development and utilization of hospital, clinic, or similar services, facilities, and resources, and to promote the coordination of such research, experiments, and demonstrations and the useful application of their results.

291c. General Regulations

The Surgeon General, with the approval of the Federal Hospital Council and the Secretary of Health, Education, and Welfare, shall by general regulations prescribe

(a) Priority of projects. The general manner in which the State agency shall determine the priority of projects based on