

103^D CONGRESS
2^D SESSION

H. R. 5037

To establish a Bipartisan Health Care Reform Commission to analyze and make recommendations concerning health care reform.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 1994

Mr. GEKAS introduced the following bill; which was referred jointly to the Committees on Energy and Commerce, Ways and Means, Armed Services, Post Office and Civil Service, Education and Labor, Veterans' Affairs, and Rules

A BILL

To establish a Bipartisan Health Care Reform Commission to analyze and make recommendations concerning health care reform.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Bipartisan Health
5 Care Reform Commission Act of 1994".

6 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

7 (a) ESTABLISHMENT.—There is established an inde-
8 pendent commission to be known as the Bipartisan Health

1 Care Reform Commission (in this Act referred to as the
2 “Commission”).

3 (b) APPOINTMENT.—

4 (1) IN GENERAL.—The Commission shall con-
5 sist of—

6 (A) 3 members appointed by the President,
7 not more than 2 of whom may be members of
8 the same political party;

9 (B) 2 members appointed by the Majority
10 Leader of the Senate;

11 (C) 2 members appointed by the Minority
12 Leader of the Senate;

13 (D) 2 members appointed by the Majority
14 Leader of the House of Representatives; and

15 (E) 2 members appointed by the Minority
16 Leader of the House of Representatives.

17 (2) QUALIFICATIONS OF MEMBERS.—Members
18 shall be appointed on the basis of their expertise and
19 national recognition in the fields of health econom-
20 ics, provider reimbursement, health insurance, health
21 benefits design, and related fields. No Member of
22 Congress may be appointed to serve as a member of
23 the Commission.

24 (c) TERM.—Members of the Commission shall be ap-
25 pointed not later than 30 days after the date of the enact-

1 ment of this Act and shall serve for the life of the Commis-
2 sion.

3 (d) VACANCY.—A vacancy in the Commission shall
4 not affect its powers, but shall be filled in the same man-
5 ner as the original appointment.

6 (e) AVAILABILITY OF FUNDS.—The Secretary of
7 Health and Human Services shall make available, from
8 amounts appropriated to the Secretary, such staff and
9 funds as may be necessary to carry out the work of the
10 Commission.

11 (f) NO COMPENSATION EXCEPT TRAVEL EX-
12 PENSES.—Members of the Commission shall serve without
13 compensation, but the Secretary of Health and Human
14 Services shall provide that each member shall receive trav-
15 el expenses, including per diem in lieu of subsistence, in
16 accordance with sections 5702 and 5703 of title 5, United
17 States Code.

18 (g) QUORUM; CHAIRMAN.—Six members of the Com-
19 mission shall constitute a quorum. The President shall
20 designate one member of the Commission to serve as
21 chairman.

22 **SEC. 3. RESPONSIBILITIES.**

23 (a) ANALYSES AND RECOMMENDATIONS.—The Com-
24 mission shall—

1 (1) conduct an analysis of the health care sys-
2 tems of the States, as well as proposed or enacted
3 reforms of such systems;

4 (2) conduct an analysis of the problems relating
5 to programs and policies of the Federal Government
6 relating to health care, including Federal health in-
7 surance programs (such as the medicare and medic-
8 aid programs), health programs of the various De-
9 partments, and tax policies as they relate to health
10 care and health insurance;

11 (3) analyze private sector health systems, in-
12 cluding various employer plans and innovative deliv-
13 ery systems; and

14 (4) make recommendations on reforms that the
15 Congress should consider in response to the findings
16 of the analyses.

17 (b) HEARINGS.—The Commission shall hold at least
18 5 public hearings. The topics of the hearings shall be es-
19 tablished in consultation with the officials that appointed
20 members to the Commission.

21 (c) REPORT.—Not later than April 30, 1995, the
22 Commission shall submit a report to the Congress on the
23 state of health care in the United States. Such report shall
24 include analyses of the following issues:

1 (1) The rate of growth in health care costs by
2 type of provider, by type of payer, and by State.

3 (2) The utility of various mechanisms to em-
4 power purchasers of health care with information
5 about comparative cost, quality, and access, includ-
6 ing the effect of such information on patient's be-
7 havior in the medical marketplace.

8 (3) The success or failure of different types of
9 group health plans, such as plans that use medical
10 savings accounts, managed care plans, plans offered
11 through voluntary purchasing cooperatives, and tra-
12 ditional indemnity plans, in cost, quality, and access.

13 (4) The success or failure of various Medicaid
14 reform proposals, including the use of managed care,
15 the use of vouchers to permit purchase of private in-
16 surance, and prioritization of benefits.

17 (d) LEGISLATIVE PROPOSAL.—If the Commission
18 recommends changes which requires legislation to imple-
19 ment, the Commission shall include in its report under
20 subsection (c) a detailed legislative proposal providing for
21 implementation of the recommendations.

22 **SEC. 4. CONSIDERATION OF RECOMMENDATIONS.**

23 (a) INTRODUCTION AND REFERRAL.—

24 (1) IN GENERAL.—If the report of the Commis-
25 sion under section 3—

1 (A) includes a detailed legislative proposal
2 under section 3(d), and

3 (B) is accompanied by a statement pro-
4 vided by the Director of the Congressional
5 Budget Office under subsection (h) that the en-
6 actment of the proposal will not result in any
7 increase in the Federal deficit in each of the 10
8 fiscal years beginning after the date of submit-
9 tal of the report,

10 the majority leader (or the leader's designee) in each
11 House shall introduce (by request and not later than
12 7 days after the date of receipt by Congress of the
13 report) the legislative proposal as a bill. The title of
14 that bill shall be "A bill to carry out the rec-
15 ommendations of the Bipartisan Health Care Re-
16 form Commission."

17 (2) REFERRAL.—That bill shall be referred on
18 the date of introduction to the appropriate commit-
19 tee (or committees) in accordance with rules of the
20 respective Houses.

21 (b) DISCHARGE DEADLINE.—If any committee to
22 which the bill is referred does not report the bill by the
23 end of the 45-day period beginning on the date the bill
24 was referred to the committee, the committee shall be

1 automatically discharged from further consideration of the
2 bill as of the end of such period.

3 (c) FLOOR CONSIDERATION.—

4 (1) HOUSE OF REPRESENTATIVES.—For the
5 purpose of expediting consideration and passage of
6 a bill reported or discharged under this section, the
7 Committee on Rules of the House of Representatives
8 shall report a privileged resolution providing for the
9 consideration of the bill and amendments thereto
10 under an open rule and for a period of unlimited de-
11 bate before the consideration of amendments to the
12 bill. If such a bill differs from the recommendation
13 of the Commission, any such resolution shall make
14 in order an amendment consisting of the text of the
15 Commission's recommendations.

16 (2) SENATE.—[LANGUAGE TO BE IN-
17 SERTED LATER]

18 (d) FINAL PASSAGE.—A vote on final passage of the
19 bill shall be taken in a House not later than the end of
20 the 15-day period beginning on the date on which the mo-
21 tion to proceed to its consideration in that House has been
22 approved.

23 (e) SPECIAL RULES.—If the House of Representa-
24 tives approves a bill and the Senate approves a bill the
25 text of which is identical to the text of the bill approved

1 by the House of Representatives, the Senate is deemed
2 to have approved the bill approved by the House of Rep-
3 resentatives, effective on the later of—

4 (1) the date of approval of a bill in the Senate,
5 or

6 (2) the date the Senate receives a message from
7 the House of Representatives announcing that the
8 House has passed the bill.

9 (f) RULES OF HOUSE OF REPRESENTATIVES AND
10 SENATE.—This section is enacted by the Congress—

11 (1) as an exercise of the rulemaking power of
12 the House of Representatives and of the Senate, re-
13 spectively, or of that House to which they specifi-
14 cally apply and such rules supersede other rules only
15 to the extent that they are inconsistent therewith,
16 and

17 (2) with full recognition of the constitutional
18 right of either House to change such rules (so far
19 as relating to such House) at any time, in the same
20 manner and to the same extent as in the case of any
21 other rule of that House.

22 (g) NOT INCLUDING CERTAIN DAYS.—Days on which
23 a House of Congress is not in session because of an ad-
24 journment of more than 3 days shall be excluded in the

1 computation of any number of days in a period under this
2 section with respect to that House.

3 (h) CONGRESSIONAL BUDGET OFFICE DETERMINA-
4 TIONS.—The Director of the Congressional Budget Office,
5 upon request of the Commission or an appropriate com-
6 mittee, shall—

7 (1) review any bill to be proposed by the Com-
8 mission or the committee to determine if the enact-
9 ment of the bill would result in any increase in the
10 Federal deficit in any of the 10 fiscal years begin-
11 ning after the date on which the request is made,
12 and

13 (2) provide a written statement of such deter-
14 mination.

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