

Tuesday, June 24, 2008

House Meets At...	Votes Predicted At...
9:00 a.m. For Morning Hour 10:00 a.m. For Legislative Business	Last Vote: 5:00-6:00 p.m.
Unlimited "One-minutes" Per Side	

Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.

Floor Schedule and Procedure

- **Suspension Bills:** Today, the House will consider several bills on the Suspension calendar. Bills considered on the Suspension calendar are debatable for 40 minutes; may not be amended; and require a two-thirds vote for passage. If a recorded vote is requested, it will be postponed.
 - 1) H.R. 6331** - Medicare Improvements for Patients and Providers Act of 2008 (Rep. Dingell/Rangel – Energy and Commerce/Ways and Means)
 - 2) H.R. 6327** - The Federal Aviation Administration Extension Act of 2008 (Rep. Rangel – Ways and Means)
 - 3) H.R. 6307** – Fostering Connections to Success Act (Rep. McDermott – Ways and Means)
 - 4) H.Res. 1294** - National Save For Retirement Week (Rep. Schwartz – Ways and Means)
 - 5) H.R. 6346** - Federal Price Gouging Prevention Act (Rep. Stupak – Energy and Commerce)
 - 6) H.Con.Res. 163** - Expressing the sense of Congress in support of further research and activities to increase public awareness, professional education, diagnosis, and treatment of Dandy-Walker syndrome and hydrocephalus (Rep. Wilson (NM) – Energy and Commerce)
 - 7) H.Res. 353** - Expressing the sense of the House of Representatives that there should be an increased Federal commitment supporting the development of innovative advanced imaging technologies for prostate cancer detection and treatment (Rep. Cummings – Energy and Commerce)
 - 8) H.R. 2818** - Veterans' Epilepsy Treatment Act of 2008 (Rep. Perlmutter – Veterans' Affairs)
 - 9) H.Res. 1098** - Supporting the goals and ideals of the Year of the American Veteran (Rep. Filner – Veterans' Affairs)

- 10) H.Res. 1231** - Supporting the goals and ideals of Vietnam Veterans Day and calling on the American people to recognize such a day (Rep. Shuler – Veterans' Affairs)
- 11) H.R. 2245** - To designate the Department of Veterans Affairs outpatient clinic in Wenatchee, Washington, as the Elwood "Bud" Link Department of Veterans Affairs Outpatient Clinic (Rep. Hastings (WA) – Veterans' Affairs)
- 12) H.R. 4264** - To name the Department of Veterans Affairs spinal cord injury center in Tampa, Florida, as the "Michael Bilirakis Department of Veterans Affairs Spinal Cord Injury Center" (Rep. Miller (FL) – Veterans' Affairs)
- 13) H.R. 4289** - To name the Department of Veterans Affairs outpatient clinic in Ponce, Puerto Rico, as the "Euripides Rubio Department of Veterans Affairs Outpatient Clinic" (Rep. Fortuno – Veterans' Affairs)
- 14) H.R. 4918** - To name the Department of Veterans Affairs medical center in Miami, Florida, as the "Bruce W. Carter Department of Veterans Affairs Medical Center" (Rep. Ros-Lehtinen– Veterans' Affairs)
- 15) H.Res. 1291** - Expressing gratitude for the contributions of the American GI Forum on its 60th anniversary (Rep. Rodriguez – Veterans' Affairs)
- 16) H.Res. 1271** - Recognizing National Homeownership Month and the importance of homeownership in the United States (Rep. Gary Miller (CA) – Financial Services)
- 17) H.R. 6312** - To advance credit union efforts to promote economic growth, modify credit union regulatory standards and reduce burdens, to provide regulatory relief and improve productivity for insured depository institutions, and for other purposes (Rep. Kanjorski/Rep. Moore (KS) – Financial Services)
- 18) H.Con.Res. 370** - Expressing support for designation of September 2008 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States (Rep. Sheila Jackson–Lee – Oversight and Government Reform)
- 19) H.Res. 1283** - Expressing heartfelt sympathy for the victims and their families following the tornado that hit Little Sioux, Iowa, on June 11, 2008 (Rep. Terry (NE) – Oversight and Government Reform)
- 20) H.Con.Res. 195** - Expressing the sense of the Congress that a National Dysphagia Awareness Month should be established (Rep. Wamp – Oversight and Government Reform)
- 21) H.Res. 970** - Expressing support for designation of June 30 as "National Corvette Day (Rep. Shimkus – Oversight and Government Reform)
- 22) H.Con.Res. 365** – Honoring the life of Robert Mondavi (Rep. Thompson (CA) – Oversight and Government Reform)
- 23) H.R. 5687** - The Federal Advisory Committee Act Amendments of 2008 (Rep. Clay – Oversight and Government Reform)

- **Complete consideration of H.R. 5876 – Stop Child Abuse in Residential Programs for Teens (Rep. George Miller – Education and Labor):** Continued consideration of the bill will be managed by Education and Labor Committee Chair Rep. George Miller, and will proceed as follows:
 - Debate and votes on amendments to the bill.
 - Possible debate and vote on a Republican motion to recommit the bill.
 - Vote on final passage of the bill. **Democrats are urged to vote yes on passage of the bill.**

- **Kirk Motion to Instruct Conferees on H.R. 4040 - The Consumer Product Safety Modernization Act of 2007 (Rep. Rush – Energy and Commerce):** Debate on the motion to instruct conferees will proceed as follows:
 - Up to one hour of debate on the Motion to Instruct conferees.
 - Possible vote on adoption of the Motion to Instruct conferees.

- **Postponed Suspension Vote:**
 - 1) **H.R. 3546** - To authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012 (Rep. Johnson (GA) – Judiciary)

Bill Summary and Key Issues

H.R. 5876 - Stop Child Abuse in Residential Programs for Teens Act of 2008

An estimated 20,000 to 30,000 U.S. teenagers attend private residential programs – including therapeutic boarding schools, wilderness camps, boot camps, and behavior modification facilities – that are intended to help them with behavioral, emotional, or mental health problems. Depending on the state where they are located, some of these programs are regulated; some are not. As a result of this loose patchwork of regulations, reports of child abuse at the programs have frequently gone unchecked. The Government Accountability Office found thousands of allegations of child abuse and neglect at private residential programs for teens between 1994 and 2007. Tragically, in a number of cases, this abuse and neglect led to the death of a child.

To address this urgent problem, the “Stop Child Abuse in Residential Programs for Teens Act of 2008” (H.R. 5876) would:

Keep teens safe with new national standards for private residential programs

Specifically, the legislation would:

- Prohibit programs from physically or mentally abusing children in their care;
- Prohibit programs from denying children essential water, food, clothing, shelter, or medical care – whether as a form of punishment or for any other reason;
- Require that programs only physically restrain children if it is necessary for their safety or the safety of others, and to do so in a way that is consistent with existing federal law on the use of restraints;

- Require programs to provide children with reasonable access to a telephone and inform children of their right to use the phone;
- Require programs to train staff in understanding what constitutes child abuse and neglect and how to report it; and
- Require programs to have plans in place to provide emergency medical care.

Prevent deceptive marketing by residential programs for teens

Specifically, the legislation would:

- Require programs to disclose to parents the qualifications, roles, and responsibilities of all current staff members;
- Require programs to notify parents of substantiated reports of child abuse or violations of health and safety laws; and
- Require programs to include a link or web address for the website of the U.S. Department of Health and Human Services, which will carry information on all private residential programs.

Hold teen residential programs accountable for violating the law

Specifically, the legislation would:

- Require the U.S. Department of Health and Human Services to conduct unannounced site inspections of every private teen residential program in the country at least once every two years;
- Give HHS the authority to assess civil penalties of up to \$50,000 against programs for every violation of the law; and
- Give parents the right to sue in federal court program operators that violate national standards.

Ask states to step in to protect teens in residential programs

Three years after enactment, the legislation would provide certain federal grant money to states only if they develop their own standards (that are at least as strong as national standards) for public and private residential programs for teens and inspect the programs at least once every two years. The national standards would remain in place and parents would retain their ability to sue in federal court. The Department of Health and Human Services would continue to inspect programs, but would not have to conduct inspections of every program every two years in states that have adopted and are effectively enforcing their own standards. In addition, the legislation would require HHS to investigate any death or pattern of violations at a program.

SUMMARY OF AMENDMENTS MADE IN ORDER

(summaries derived from information provided by sponsors)

*select the name of the amendment sponsor to retrieve amendment text in .pdf format.

Sponsor	Description	Debate Time
<u>1. Miller, George (CA)/McKeon (CA):</u>	Makes three changes to the definition of “covered program.” It expands the definition to include public residential programs, and it strikes the exclusion of psychiatric residential treatment facilities and the exclusion of foster care group homes. The amendment strikes the requirement for the Secretary of HHS to make unannounced site inspections of covered programs at least once every two years, and it strikes Section 5. The amendment requires the Secretary to report to Congress on the activities of the national toll-free hotline, directs the Secretary to conduct a study on the outcomes of residential programs, and amends one of the standards to require a timeline about notifying parents.	(20 minutes)
<u>2. Shea-Porter (NH):</u>	Requires that programs have policies in place for ensuring that any changes to a child’s medication are made in consultation with a qualified medical professional and a parent or legal guardian of the child.	(10 minutes)

Quote of the Day

“To win without risk is to triumph without glory” -Corneille