

HEALTH CARE

DeFazio has long fought to give all Americans access to affordable health care. Most recently, he joined efforts with his colleagues in Congress and with Governor Kulongoski to allow the safe reimportation of prescription drugs to bring relief to Americans struggling with the exorbitant costs of pharmaceuticals.

He has authored and introduced in several Congresses, the "Access to Medical Treatment Act," which guarantees patients the right to choose alternative and complementary treatments and to give licensed health care providers the right to recommend and provide these treatments

As a member of the Rural Health Care Caucus, DeFazio has actively promoted legislation to increase Medicare payments to rural health care providers to ensure the continued availability of quality health care. In 1999, DeFazio pushed through legislation that helped reopen Cottage Grove's only hospital.

As a member of the House Working Group on Mental Illness, DeFazio has worked to gain full health care coverage for mental illness.

DeFazio also authored legislation which became law in 1998 to require the registration of the sales of all chemicals used to produce methamphetamine.

"Drugstore crackdown miffs DeFazio"
Corvallis Gazette-Times, 4/27/04

"Our man in Washington, Peter DeFazio, is on the right track when it comes to the issue of prescription drugs from Canada."
Albany Democrat-Herald, 4/27/04

"Roses to U.S. Rep. Peter DeFazio, for taking on potential deep-pocketed contributors in an election year. DeFazio is speaking out against a state crackdown on those businesses that help their customers get cheaper prescription medicines from Canada."
Corvallis Gazette Times, 4/29/04

"DeFazio criticizes Medicare cards... New prescription cards confuse seniors, offer little benefit, congressman says"
The News Review, 8/2/04

"DeFazio study finds drug card lacking... The lawmaker says the Medicare benefit offers little in savings on prescriptions."
Register Guard, 8/4/04

"Congressman Peter DeFazio shepherded legislation through the U.S. House that essentially

increased the federal government's payment to rural community hospitals such as Cottage Grove's for Medicare patients.”

Cottage Grove Sentinel, December 22, 1999

In the 108th Congress (2003-2004):

► **DeFazio reintroduced H.R. 757, the Drug Company Gift Disclosure Act**, legislation to require prescription drug manufacturers, packers, and distributors to disclose certain gifts provided in connection with detailing, promotional, or other marketing activities to health care entities. The legislation is intended to publicize drug company gifts that may influence prescribing practices of physicians and contributing to rising drug costs.

► **DeFazio is also a cosponsor of H.R. 3865, legislation to prohibit pharmaceutical companies from taxing a tax deduction for gifts they provide to physicians.**

► **DeFazio drafted a package of bills to address rising medical malpractice insurance rates**, which are driving doctors to leave the profession and may be restricting access to health care. The DeFazio package focuses on the business practices of insurance companies, because of evidence that companies are raising rates in response to investment losses rather than runaway jury awards. DeFazio offered his package as an alternative to a Republican bill, H.R. 5, to cap jury awards on March 13, 2003. But, the Republican leadership refused to allow his amendments to be considered on the House floor. The DeFazio package included the following bills:

H.R. 448, legislation to repeal the antitrust exemption enjoyed by the insurance industry, which would prohibit the insurance industry from colluding on rates.

H.R. 447, legislation to establish an Office of Health Care Competition within the Department of Health and Human Services to collect and make publicly available information on medical malpractice, including (1) direct premiums written and earned; (2) net investment income, including net realized capital gains and losses; (3) incurred claims; (4) actual incurred expenses; and (5) certain information on claims paid, including verdict amounts.

H.R. 446, legislation to establish an Emergency Medical Malpractice Liability Insurance Commission to recommend additional ways to keep rates from rising and leading to the retirement of physicians.

► **Reintroduced H.R. 2085, the “Access to Medical Treatment Act,”** which guarantees patients the right to choose alternative and complementary treatments and to give licensed health care providers the right to recommend and provide these treatments.

► **DeFazio voted against H.R. 1, the Republican Medicare Prescription drug bill, which provides scant benefits to seniors while lavishly subsidizing the pharmaceutical and**

insurance industries.

▸ **DeFazio is a cosponsor of legislation, H.R. 3767, legislation to correct one of the egregious problems with H.R. 1, which prohibited the federal government from negotiating lower drug prices on behalf of consumers. H.R. 3767 directs the Department of Health and Human Services to negotiate lower drug prices for Medicare beneficiaries.** DeFazio has also signed a discharge petition to bring this legislation to the House floor. If 218 members sign the petition, then the House Republican leadership is required to schedule the bill for a floor vote. The petition currently has 183 signatures.

▸ **DeFazio is a cosponsor of comprehensive Medicare prescription drug bill, H.R. 2498, the MEDS Act, that would provide a more robust benefit for seniors while incorporating a number of common sense cost-saving measures like reimportation, bulk purchasing, negotiating lower prices, and reasonable pricing for drugs developed with taxpayer funds.**

▸ **In August 2004, DeFazio released a report on the Medicare drug discount card program prepared at his request by the Democratic Staff of the House Committee on Government Reform. The report found that the discount cards failed to provide real savings to most seniors.**

▸ **DeFazio cosponsored H.R. 2497, legislation to allow the reimportation of prescription drugs from Canada. DeFazio also voted in favor of legislation, H.R. 2427, to allow reimportation from several industrialized countries. This legislation was approved by the House in July 2003. The Senate has not yet acted on the measure.**

▸ **DeFazio supported several bills that would truly address the high cost of prescription drugs and provide Medicare coverage of prescription drugs.** The bills would require companies to offer seniors on Medicare the same prices they offer their most-favored customers, enable Americans to take advantage of lower costs of drugs manufactured to FDA specifications in other countries by allowing reimportation, bring generic drugs to market faster, and requiring drugs developed with taxpayer funds be provided at a reasonable price.

▸ **In September 2004, DeFazio joined several other Oregon Representatives in contacting HHS Secretary Tommy Thompson urging him to support Governor Kulongoski's plan to reimport drugs from Canada.**

▸ **DeFazio joined other members of the Oregon delegation in writing to Secretary Tommy Thompson in September 2003 urging him to accept a waiver requested by the State of Oregon for the Oregon Health Plan (OHP).** A waiver would allow Oregon to provide health insurance for children up to 200 percent of the federal poverty level; preserve the quality of coverage for uninsured under 100 percent of the federal poverty level; and, provide selected benefits for low income elderly and persons with disabilities not currently covered by OHP.

▸ **DeFazio obtained \$3 million in H.R. 4613, the fiscal year 2005 Department of Defense appropriations bill for the Brain, Biology and Machine Initiative at the University of**

Oregon. H.R. 4613 was sent to the President for his signature on July 22, 2004. This funding is in addition to the \$3 million DeFazio secured in H.R. 2658, the fiscal year 2004 Department of Defense Appropriations bill, which was signed into law on September 30, 2003. This University project has far-reaching medical implications as it combines neuroscience, genetics, genomics and proteomics. It will allow the University to do cutting edge research, not only on brain injuries and other medical conditions, but also on the physiology of emotions, disease prevention, and so on.

- ▶ **DeFazio helped secure \$75,000 in H.R. 2673 for Lane County Public Health Facilities** to help expand and enhance its public health facilities to better respond to public health crises including acts of bioterrorism.
- ▶ DeFazio joined approximately 200 of his colleagues in writing to the President urging him to revise his stem cell research policy. When Bush originally announced his policy in August 2001, it was assumed there were 78 lines available for research. Now, we know there are only 15. Leadership on stem cell research is rapidly moving abroad.
- ▶ DeFazio is a cosponsor of H.R. 4192, the Putting Prevention First Act, which would expand access to preventive health care services and education programs that help reduce unintended pregnancies, reduce infection and sexually transmitted disease, and reduce the number of abortions.
- ▶ DeFazio is a cosponsor of H.Con.Res. 99, a resolution calling on Congress to enact legislation by October 2005 to provide all Americans with access to health care.
- ▶ DeFazio joined dozens of colleagues in writing to the House Appropriations Committee in April 2003 in support of increased funding for Community Health Centers, which serve uninsured and underinsured populations.
- ▶ DeFazio contacted members of the House Budget Committee negotiating the final version of the fiscal year 2004 budget in opposition to \$94 billion in proposed cuts to Medicaid and the State Children's Health Insurance Program (SCHIP).
- ▶ DeFazio has continued his leadership on mental health issues as one of the lead cosponsors of H.R. 953, the Senator Paul Wellstone Mental Health Equitable Treatment Act of 2003, which seeks to close a loophole in the original mental health parity legislation to ensure mental illness receives equitable insurance coverage as physical ailments.
- ▶ DeFazio is a cosponsor of H.R. 1231, legislation to allow federal retirees to pay health insurance premiums on a pre-tax basis.
- ▶ DeFazio is a cosponsor of a variety of bills to improve coverage under Medicare for a variety of services including acupuncture (H.R. 1477) and physical therapy (H.R. 792). DeFazio also supports legislation blocking cuts in outpatient drug coverage for chemotherapy (H.R. 1622). DeFazio also contacted House Speaker Hastert in July 2003 urging that the final

Medicare bill not include cuts to outpatient cancer drugs.

- ▶ In September 2003, DeFazio joined dozens of colleagues in contacting Speaker Hastert in opposition to reducing Medicare payments to hospitals in the Medicare prescription drug bill. Oregon's hospitals, particularly rural hospitals, are struggling financially. Cuts to Medicare reimbursement would add to their financial troubles.
- ▶ Similarly, DeFazio wrote to Speaker Hastert and Minority Leader Pelosi in support of taking up legislation to fix the flaws in the Medicare reimbursement formula for physicians, which had led to larger than expected cuts in payments that have driven many Oregon doctors to refuse to accept new Medicare patients.
- ▶ DeFazio wrote to Chairman Thomas and Ranking Member Rangel of the House Ways and Means Committee in support of including provisions in the Medicare prescription drug legislation to help rural communities, including: a "fallback" provision in cases where private plans are not offered, the Senate's low-income cost sharing provisions, elimination of the coverage gap "doughnut hole."
- ▶ DeFazio supports legislation, H.R. 1910, to prohibit discrimination by insurance companies based on genetic testing.
- ▶ DeFazio is a cosponsor of H.R. 1322, legislation to limit the ability of companies to cancel or dramatically reduce coverage or increase costs for retirees.
- ▶ DeFazio is a cosponsor of H.R. 1886, legislation to require minimum hospital stays for mastectomies and lymph node dissections for the treatment of breast cancer.
- ▶ DeFazio is a cosponsor of bipartisan legislation to provide tax relief for long-term care insurance (H.R. 2096).
- ▶ DeFazio is a cosponsor of H.R. 2932, legislation to combat the growing problem of antibiotic immunity in humans. This legislation would restrict the non-health care related use of antibiotics in animals destined for human food.
- ▶ DeFazio is a cosponsor of H.R. 2979, legislation to provide grants to states to provide universal, comprehensive and cost-effective health care coverage.
- ▶ To improve the ability of small businesses to afford health care coverage, DeFazio is a cosponsor of H.R. 3607, legislation to provide a refundable tax credit for small businesses to purchase health insurance for their employees. The credit equals 40-60 percent of the cost of insurance, depending on the size of the company.
- ▶ He also supports H.R. 4356, the Small Business Health Insurance Promotion Act. Similar to H.R. 3607, this bill would make small businesses or self-employed individuals eligible for a 50 percent tax credit to defray the cost of health insurance. It would create state and national

multi-insurer pools to provide comprehensive and affordable health insurance choices to small employers and the self-employed. To receive the tax credit, participating employers must offer all of their employees coverage through either the qualified state or national health insurance pools. These purchasing pools would ensure comprehensive and affordable health insurance. Participants would receive a choice of plans very similar to those available in the Federal Employees Health Benefit Plan (FEHBP).

- ▶ DeFazio is a cosponsor of legislation, H.R. 1717, to allow marijuana to be used for medicinal purposes. He is also a supporter of H.R. 2233, legislation to allow for the medicinal use of marijuana if approved according to the laws of a given state.
- ▶ DeFazio regularly joins dozens of his colleagues in writing to House appropriators in support of adequate funding for the National Institutes of Health (NIH). DeFazio has also specifically advocated for increased funding into prevention, treatment, and cures for Alzheimer's, diabetes, Parkinson's, autism, ALS, ovarian cancer, traumatic brain injuries, and prostate cancer.
- ▶ DeFazio contacted House appropriators in support of adequate funding for the Nurse Reinvestment Act to address the nationwide nursing shortage.

In the 107th Congress (2001-2002):

- ▶ Reintroduced H.R. 1964, the “Access to Medical Treatment Act,” which guarantees patients the right to choose alternative and complementary treatments and to give licensed health care providers the right to recommend and provide these treatments.
- ▶ DeFazio drafted H.R. 5037, the Drug Company Gift Disclosure Act.
- ▶ Testified before the House Government Reform Committee regarding the threat posed by the Codex Alimentarius Commission of the World Health Organization to the Dietary Supplements and Health and Education Act of 1994 and American consumers’ access to information on dietary supplements.
- ▶ Requested the GAO investigate the causes of the flu vaccine shortage during the Winter 2000 flu season. GAO concluded (1) delays in vaccine production and haphazard distribution created the shortages and drove up prices, (2) no mechanism is currently in place to distribute the vaccine to high-risk individuals should there be a shortage in the future.
- ▶ The results of the GAO investigation led DeFazio to draft H.R. 910, the “Influenza Vaccine Emergency Act,” legislation to strengthen the authority of the Secretary of Health and Human Services to respond to inadequate supplies of the flu vaccine. In the case of a shortage, the Secretary could seize vaccines and mandate a new method of distribution to ensure those most at-risk receive the vaccine.

- ▶ Secured \$3 million in H.R. 5010, the fiscal year 2003 Department of Defense Appropriations bill for the Brain, Biology and Machine Initiative at the University of Oregon. H.R. 5010 was signed into law on October 23, 2002. DeFazio also Secured \$1.8 million in the fiscal year 2002 Department of Defense Appropriations bill (H.R. 3338) for the University of Oregon's Brain, Biology and Machine Initiative. H.R. 3338 was signed into law on January 10, 2002.
- ▶ DeFazio is co-chair of the House Working Group on Mental Illness and the lead co-sponsor of H.R. 162, the "Mental Health and Substance Abuse Parity Amendments of 2001." H.R. 162 would close loopholes from the 1996 parity law that allow health insurance plans to skirt the requirement that mental illnesses be covered equally with physical ailments.
- ▶ Worked with a large bipartisan group of Members to include strong mental health parity language in the LHHS appropriations bill. In conference, the language was watered down to merely an extension of the 1996 law without closing the loopholes.
- ▶ Member of the Universal Health Care Task Force and original cosponsor of H.Con.Res. 99, directing Congress to enact legislation by October 2004 providing access to comprehensive health care for all Americans.
- ▶ Cosponsor of H.R. 1862, the "Greater Access to Affordable Pharmaceuticals Act of 2001," legislation to make it easier for generic drugs to come to market faster.
- ▶ Cosponsor of H.R. 1436, the "Nurse Reinvestment Act," legislation to combat the nationwide nursing shortage via public education, workforce recruitment, and student financial aid.
- ▶ Cosponsor of H.R. 3351, the "Medicare Physician Payment Fairness Act," legislation to block a cut in reimbursement to physicians that was included in the 1997 Balanced Budget Act, which DeFazio opposed primarily because of the cuts in Medicare it mandated.
- ▶ Cosponsor of several bills to address the high cost of prescription drugs and provide Medicare coverage of prescription drugs. The bills would require companies to offer seniors on Medicare the same prices they offer their most-favored customers, enable Americans to take advantage of lower costs of drugs manufactured to FDA specifications in other countries by allowing reimportation, and requiring drugs developed with taxpayer funds be provided at a reasonable price.
- ▶ Received the Community Health Super Hero Award for strong and consistent support for community, migrant, and homeless health centers and their patients presented by the National Association of Community Health Centers, Inc. and Health Centers from the State of Oregon.
- ▶ Received the Rural Health Care Award from the Area Health Education Center of Southwest Oregon for helping the people of Oregon re-open hospitals, expand rural health outreach, and receive higher Medicare reimbursement rates.

- ▶ Received a 100 percent rating from the National Committee to Preserve Social Security and Medicare for his efforts to protect Social Security and Medicare.

In the 106th Congress (1999-2000)

- ▶ Secured approval of legislation that helped reopen Cottage Grove's only hospital. DeFazio first introduced legislation, together with members of the House Rural Health Care Caucus, to improve access to healthcare in rural areas. Parts of this bill, including the Cottage Grove hospital provisions, were included in the Medicare Balanced Budget Refinement Act, H.R.3194. This legislation was approved by Congress and enacted into law on November 29, 1999 as part of the fiscal year 2000 Omnibus Appropriations Act.
- ▶ Led battle on the House floor against legislation designed to overturn Oregon's Death With Dignity Act. Together with the rest of Oregon's congressional delegation, DeFazio secured enough votes against the measure to sustain a presidential veto.
- ▶ Author of H. R.2635, the "Access to Medical Treatment Act," a bill to allow patients greater freedom of choice in medical care, which he introduces each Congress. In the 105th Congress, DeFazio testified before the House Committee on Government Reform and Oversight on the issue and has gained the support of the Chairman of this Committee in pushing for passage of the legislation.
- ▶ Received the American Psychiatric Association's "1999 Distinguished Service Award" for outstanding leadership ending discrimination against people suffering from mental illness.
- ▶ Received the National Nutritional Foods Association 1999 Congressional Champion Award.

In the 105th Congress (1997-1998)

- ▶ Together with other members of Oregon's congressional delegation and more than 50 health and hospice related organizations, successfully fought off the first attempts by the congressional leadership to overturn Oregon's assisted suicide law.
- ▶ Author of H. R.1055, a bill to elevate the National Institutes of Health's Office of Alternative Medicine to a National Center for Integral Medicine. The bill would boost the credibility of the office and give administrators more control over grants for studies and clinical research on alternative medicine. The legislation was enacted into law on October 21, 2000 as part of H. R.4328, the Omnibus Appropriations bill for fiscal year 1999.
- ▶ Received "Fearless Heart" award from the Oregon Chapter of the National Alliance for the Mentally Ill in recognition of his efforts to enact mental health parity legislation.
- ▶ Received the American College of Nutrition's 1997 Humanitarian Award in recognition of

his efforts in communicating to the American public the importance of nutrition and physical fitness, primarily in promoting access to alternative therapies.

In the 104th Congress (1995-1996)

- ▶ Author of H.R. 1955, a bill prohibiting the increasingly common practice by health insurance companies of forcing new mothers and their infants to leave a hospital within 48 hours. This ban on so-called "drive through deliveries" was included in the FY 97 VA-HUD Appropriations bill, H.R.3666, and enacted into law on September 26, 1996.
- ▶ Co-author of H.R. 4058, legislation to require insurance companies to provide the same levels of coverage for mental illness as they do for physical health problems. DeFazio led an effort to gather signatures from 116 of his colleagues on a letter to congressional leaders urging them to keep mental health parity provisions in the Kennedy-Kassebaum health insurance portability bill. DeFazio was honored with an award from the American Psychological Association for his leadership in the enactment of limited mental health parity legislation, which was finally included in H.R. 3666, the FY97 VA-HUD Appropriations bill, and enacted into law on September 26, 1996.

In the 103rd Congress (1993-1994)

- ▶ DeFazio led the fight to save The Emergency Food Assistance Program (TEFAP) to help provide food commodities to children and poor working families. The Clinton Administration recommended cancellation of this program, but DeFazio mobilized 103 House Members in an effort to fund the program. His coalition was able to restore \$25 million for food commodities and \$40 million for administration of the program.

In the 101st Congress (1989-1990)

- ▶ Author of legislation, H.R.1564, to revise the Medicare Catastrophic Coverage Act of 1988. DeFazio voted against the Medicare Catastrophic bill which proved unpopular with seniors and was ultimately repealed by H.R.3607, enacted into law on December 13, 1989.

In the 100th Congress (1987-1988)

- ▶ Author of H.R. 4391, a bill to require the registration of the sales of all chemicals used to produce methamphetamine. Provisions of the bill were incorporated in the Omnibus Anti-Drug Act, H.R.5210, which was enacted into law on November 18, 1988.