

# Message to Constituents

## U.S. Congressman Elijah E. Cummings

Representing the 7<sup>th</sup> U.S. Congressional District of Maryland

October 28, 2004  
<http://www.mail.house.gov/cummings>

1632 Longworth House Office Building  
Washington, DC 20515  
(202) 225-4741 (tel.) (202) 225-3178 (fax)



Dear Constituent:

It is both a privilege and an honor to represent you in the United States Congress. While serving you, I will continue my outreach efforts to inform you of legislative action. I welcome your advice. Government "by the people" is the cornerstone of my legislative philosophy.

To better serve you closer to home, I invite you to visit or contact one of my district offices, listed on the following pages. In Howard County, my staff and I make regular outreach visits at various community centers. We look forward to hearing from you!

Sincerely,

Elijah E. Cummings

### **Cummings' Bill Would Impose Criminal Penalties for Voter Intimidation**

In order to address incidences of voter intimidation that have been occurring across the nation, Congressman Cummings has introduced the "Voter Protection Act of 2004," that imposes criminal penalties for those who attempt to intimidate or suppress voters.

The bill states that any individual, group or organization who intimidates voters through phone banking, distribution of misleading fliers, or otherwise attempts to prevent voters from exercising their right to vote will be fined up to \$100,000, imprisoned for up to one year, or both. It reinforces and further expands the *Voting Rights Act of 1965*, which guaranteed the right to vote for all Americans.

In introducing the bill, Congressman Cummings cited the following incidences reported in the media:

- In August 2004, plain-clothed police officers visited the homes of elderly African Americans in Orlando, Florida flaunting their guns and questioning them about their voter registration activities.
- In South Dakota's June 2004 primary, Native American voters were prevented from voting after they were challenged to provide identification cards, which they were not required to present under state or federal law.
- In the spring of 2004, students at a historically Black College - Prairie View A&M University - were told that if they dared to vote in local elections using their college address, they would be prosecuted.

"These tactics will end only if we have sufficient fines and penalties for those who participate in those activities. If we allow individuals to take away or interfere with one's right to vote, then we are literally taking away the building blocks of this great democracy," Congressman Cummings said. "As our armed forces fight to spread democracy in Iraq and Afghanistan, it is unconscionable that undemocratic efforts to suppress voters continue here at home with official or unofficial sponsorship."

## **Congressman Cummings Introduces Bill to Protect Medical Lab Whistleblowers**

Congressman Cummings has introduced the *Clinical Laboratory Compliance Improvement Act of 2004* (H.R. 5311). Aimed at ensuring that labs performing medical testing comply with federal standards, the bill includes whistleblower protections for employees who alert appropriate authorities about medical lab safety violations.

“Medical laboratory testing is a fundamental pillar of our nation's health care system,” Congressman Cummings said. “Virtually every American undergoes testing in the course of receiving medical care and relies on the accuracy of laboratory tests to receive appropriate medical care and treatment.”

Congressman Cummings has actively addressed the issue of medical lab safety following reports that Maryland General Hospital in Baltimore gave more than 450 patients questionable HIV and Hepatitis-C tests. The reports prompted Congressman Cummings to call for two congressional hearings to examine the extent of safety violations at medical labs. During these hearings held in May and July 2004, two former MGH employees testified that the fear of retaliation for reporting lab problems hindered immediate action on unsafe lab activities. The hearings also determined that miscommunication between various agencies involved in inspecting lab testing perpetuated unsafe lab operations. Additionally, the hearing revealed that announcing inspections allowed the lab to cover up violations.

“The hearing gave us little assurance that what was occurring at Maryland General was an isolated incident,” Congressman Cummings said. “Therefore, we need strong legislation to ensure a high standard of healthcare for all Americans. This bill is, first and foremost, about patient safety.”

Congressman Cummings noted that, since the reports of longstanding, serious laboratory deficiencies at Maryland General were publicized in February, the hospital has made necessary corrections and is now in compliance with federal lab standards. Therefore, H.R. 5311 would help to deter further deliberate noncompliance by medical lab facilities and ease the reporting of serious deficiencies if and when they do occur.

The bill specifically does the following:

- (1) Establishes whistleblower protections for employees of medical laboratories;
- (2) Requires medical laboratories to post a conspicuous notice informing employees how and to whom to report problems and what whistleblower protections apply to them under federal law;

- (3) Requires the Centers for Medicare and Medicaid Services (CMS), state health agencies, and private laboratory accrediting organizations to share information about reports of deficiencies and investigative activity undertaken pursuant to such reports;

- (4) Requires that standard accreditation surveys be conducted without prior notice to the medical laboratory facility to be surveyed; and

- (5) Requires the U.S. Secretary of Health and Human Services to submit an annual report to Congress describing how CMS, private accrediting organizations, and state health agencies responded to reports of deficiencies during the preceding year.

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## **Congressman Cummings Requests Thorough Examination of Lab Testing from GAO**

In addition to introducing legislation addressing medical lab testing, Congressman Cummings was joined by Congressman Mark E. Souder (R-IN), who chairs the House Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources, in requesting the Government Accountability Office (GAO) to investigate the performance of the federal regulatory system with regards to medical laboratory testing. The GAO evaluates federal programs and makes recommendations to Congress which often lead to legislation.

In the request, Congressmen Cummings and Souder, have asked the GAO to examine the following:

- (1) The effectiveness of the systems currently in place to ensure that hospital and medical laboratories comply with state and federal requirements, including the extent to which private accreditation organizations fail to identify ongoing deficiencies found by state surveyors;

- (2) How accreditation organizations and state and federal agencies respond to complaints of deficiencies;

- (3) The efficiency of, and any obstacles to, communications between and among accreditation organizations and state and federal agencies concerning complaints and findings of noncompliance; and

- (4) The adequacy of accreditation agency oversight over the standards and survey practices of laboratory accreditation organizations that have deeming authority.

“Our hearings helped us to identify several shortcomings in the current system that allowed problems to go undetected at Maryland General Hospital and the bill I have introduced specifically addresses these areas,” Congressman Cummings said. “But it is important to know how inadequacies in the regulatory system may be affecting patient care and safety elsewhere around the country. I hope that the GAO report will give us an idea of how widespread the problems are as well as suggest additional steps for strengthening the system to further ensure patient safety.”

**Federal Grants Distributed to the 7<sup>th</sup> Congressional District**

<u>Recipient</u>	<u>Purpose</u>	<u>Amount</u>
East Harbor Community Develop. Program	Create jobs for low-income individuals through economic development projects	\$500,000
Maryland Development Disabilities Council	Funds projects of national significance that support those with developmental disabilities	\$100,000
Baltimore City	Grant to the Baltimore Integrated Care Management program that supports seniors	\$49,889
Johns Hopkins Univ.	Improving asthma care for minority children in Head Start	\$721,025
National Federation for the Blind	Voting access for individuals with disabilities.	\$114,162
University of Maryland at Baltimore	Hypertension management in African Americans	\$682,644
Legal Aid Bureau	Legal hotline for seniors	\$125,000
East Baltimore Development, Inc.	Philanthropic projects	\$500,000
Lutheran Immigration & Refugee Service	Support services for torture victims	\$440,000
Advocates for Survivors of Torture & Trauma	Support services for torture victims	\$390,000
Coppin State University	Nursing workforce diversity grants	\$40,000
Maryland Dept. of Health & Mental Hygiene	Traumatic brain injury post demonstration project	\$100,000
Maryland Department of Health & Mental Hygiene	Children's oral healthcare access program	\$65,000
International Social Service	Repatriation program	\$800,000
Lutheran Immigration & Refugee Service	Technical assistance	\$269,915
Johns Hopkins Univ.	Mental health research grants	\$1,563,705
Maryland Department of Human Resources	Grants to assist older refugees	\$65,000
Baltimore Police Dept.	Drug interdiction & violence reduction	\$2,176,850
University of Baltimore	Prison Industry Certification program	\$200,000
Baltimore City	Housing grant to address those affected by lead poisoning	\$4,000,000

## Save the Date!

### Congressman Cummings' Annual College Fair

Monday, November 29, 2004

5:30 p.m. to 7:30 p.m.

Atholton High School

Columbia, Maryland

Monday, December 6, 2004

5:50 p.m. to 7:30 p.m.

Woodlawn High School

Baltimore, Maryland

Participants will be able to:

- Find out about various college scholarship and grant opportunities.
- Ask financial aid representatives about applying for federal aid.
- Talk to college admission counselors about tips for getting into your dream college.
- Learn about various academic programs.

#### **Congressman Cummings's District Offices**

**1010 Park Avenue, Suite 105  
Baltimore, MD 21201**

(410) 685-9199 and (410) 685-9399 fax

**754 Frederick Road**

**Catonsville, Maryland 21228**

(410) 719-8777 and (410) 455-0110 fax

#### **Howard County Outreach Centers**

##### **First Monday of the Month:**

Glenwood Library, 2350 Route 97

Cooksville, MD 21723

**Hours: 4:00PM - 6:00PM or by  
appointment**

##### **Second Monday of the Month:**

Howard County Central Library

10375 Little Patuxent Pkwy.

Columbia, MD 21044

**Hours: 4:00PM - 6:00PM or by  
appointment**

##### **Second Wednesday of the Month:**

Savage Library, 9525 Durness Lane

Laurel, MD 20723

**Hours: 4:00PM - 6:00PM or by  
appointment**

##### **Third Monday of the Month:**

Florence Bain Senior Center

5470 Ruth Keeton Way

Columbia, MD 21044

**Hours: 9:00AM - 11 AM or by  
appointment**

##### **Fourth Monday of the Month:**