

Abortion Legislation

Anti-abortion legislation probably will be approved by a Senate Committee this summer, leading to more battles on this controversial issue.

The Senate Judiciary Subcommittee on Separation of Powers held hearings last May on legislation sponsored by Sen. Jesse Helms (R, NC) and Rep. Henry Hyde (R, IL) that would effectively ban all legal abortions in the United States.

The emotions on this issue quickly became apparent at the hearings. Democratic members of the subcommittee did not attend the sessions, and several pro-choice groups picketed outside the hearing room. Six women hecklers disrupted the hearing and were arrested.

Two members of the the subcommittee—Sen. Orrin Hatch (R, UT) and Max Baucus (D, MT)—were angered by the management of the hearings. Particularly galling to Hatch was the narrowness of the hearings—concentrating on the medical definition of life.

Most Congressional observers expect the controversial bill to be approved by the subcommittee. Full Committee Chairman Strom Thurmond (R, SC) is also a supporter of the Helms-Hyde effort and ranking Democrat Joseph Biden (D, DE) is resigned to the fact that the human life statute probably will be approved by the full committee.

Medicaid Reimbursement

The Reagan Administration, reversing an earlier decision, has decided not to seek broad waiver authority for the Secretary of Health and Human Services over the Medicaid program. Instead, it will seek line-by-line changes in the Medicaid program to eliminate various Federal requirements and restrictions on the states.

Earlier, the Administration had drafted legislation giving the HHS Secretary unprecedented power to waive many of the requirements now imposed on the states in administering the Medicaid program. This legislation was an effort to carry out the Administration's promise to cap the Federal share of the Medicaid reimbursement system. The legislation made several changes in the law to waive permanently some of the existing requirements. Most other Federal requirements could be waived at the discretion of the HHS Secretary.

The bill placed some restrictions on the Secretary's waiver power. For instance, he would not waive the requirement that states provide certain mandatory services to the categorically needy—mainly recipients of Aid to Families with Dependent Children and Supplemental Security Income.

Office of Management and Budget Director David Stockman opposed the waiver authority backed by HHS Secretary Richard Schweiker. Schweiker

contended that a waiver proposal would effectively exclude public interest groups seeking changes in the bill but Stockman argued that there must be permanent changes in the Medicaid law.

With Stockman's winning the debate, the Administration is expected to ask Congress to repeal the "freedom of choice" provision in the law that allows recipients to choose their medical practitioners and facilities.

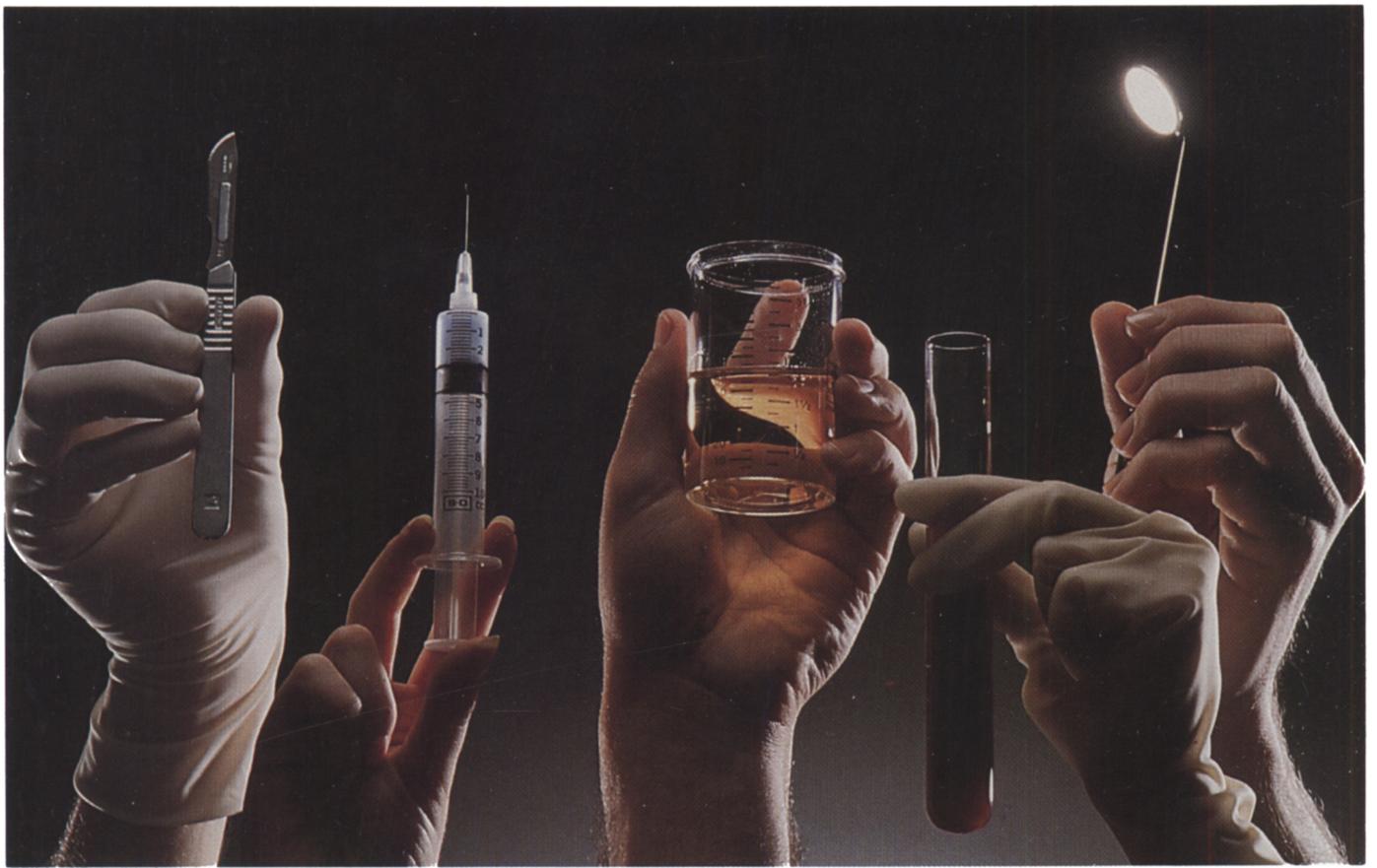
Other expected changes would include allowing states to use competitive bidding arrangements to purchase laboratory services and medical supplies, developing alternatives to hospital cost reimbursement, and limiting Medicaid coverage to the truly needy

Developmental Disabilities Amendments

The U.S. Supreme Court has ruled that the developmental disabilities amendments passed by Congress do not require states to provide mentally retarded patients with more desirable institutional care that may cost the state more money.

In a 6 to 3 decision, the Court stated that Pennsylvania would not be required to move the residents of Pennsylvania State School to other community based institutions because the amendments did not mandate specific requirements on the states but rather gave broad protections to patients.

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