

Opening Statement of Ranking Member Scott (VA-03)

Full Committee Markup

H.R. 5646, *Stop Campus Hazing Act*

H.R. 7533, *Jenna Quinn Law of 2024*

H.R. 736, *PROTECT Kids Act*

H.J. Res. 181, *Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to "Definition of 'Employer' – Association Health Plans"*.

H.R. 3120, *Healthy Competitive for Better Care Act*

H.R. 9457, *Transparent Telehealth Bills Act of 2024*

2175 Rayburn House Office Building

Wednesday, September 11, 2024 | 10:15 a.m.

Thank you, Madam Chair, and good morning.

On September 11, I would like to say a brief word in remembrance of the nearly 3,000 people who tragically lost their lives 23 years ago on this day after four commercial airliners were hijacked and used to strike targets on the ground. In particular, I want to recognize the actions of the 40 passengers and crew aboard one of the planes, Flight 93. Because of their bravery, the attack on the U.S. Capitol was thwarted. We will never forget the reprehensible attack that happened on these locations 23 years ago on this day.

Now, to the task in front of us. Today, the Committee is considering six bills. I am pleased that the Committee will mark up multiple bipartisan bills today and deliver real results to the American people by working together across party lines. Bills such as the *Stop Campus Hazing Act* and the *Jenna Quinn Law* represent a meaningful step forward in ensuring the safety of children at home and at school.

That being said, some of the bills the Committee will take up today would take us backward by putting nonsense, unreasonable regulations, and bureaucracy in the paths of schools and government agencies and raising costs for Americans.

The first proposal we will consider this morning, the *Stop Campus Hazing Act*, aims to prevent students from dangerous hazing on college campuses. Since the year 2000, there have been more than 50 hazing-related deaths on college campuses, but we know that many harmful hazing incidents occur each year go entirely unreported. And many of those victims are represented here today [in the hearing room as Dr. Foxx] indicated.

This bill aims to protect the health and safety of students by improving hazing reporting and prevention standards. It includes mandates for colleges and universities to report hazing incidents in their annual Clery Reports, establish campus-wide anti-hazing education programs, and increase transparency about past hazing incidents so that students and parents can make informed decisions about joining campus organizations. I would like to thank Reps. McBath and Duncan for their leadership on this issue, and I encourage my colleagues to support this legislation.

The second proposal we will consider only addresses one small part of the much broader *Child Abuse Prevention and Treatment Act*, or CAPTA. Through the reauthorization of CAPTA, Congress can take meaningful steps in preventing and addressing child abuse and neglect by providing states with the necessary resources to strengthen community-based child abuse prevention services. Despite CAPTA reauthorization passing the House on a bipartisan basis in the last two Congresses under my chairmanship, the bill has yet to become law.

The bill before us, the *Jenna Quinn Law*, essentially specifies that the HHS Secretary can award projects aimed at preventing child sexual abuse. Moreover, I must also point out that the *Jenna Quinn Law* regrettably does not authorize any new funding for such projects.

This subject matter has been a top priority for me, as one of my constituents, Heaven Watkins, was failed by the child welfare system, which allowed her to remain with an abusive parent after moving from Minnesota to Virginia, leading to her tragic death. I will offer an amendment today to create a nationwide interstate data exchange that would provide caseworkers with appropriate background and information on a family's interaction with the child welfare system.

While ultimately, I support the intent of the Jenna Quinn Law, this problem requires a more comprehensive approach. We can and should do more to reduce child abuse and neglect. But this bill will be a step in the right direction.

Unfortunately, the next bill we will consider takes a sharp turn away from bipartisanship and puts politicized culture wars over kids' wellbeing in the classroom. The "so-called" *PROTECT Kids Act* would require schools to seek and acquire parental consent for allowing a child to be called a different name than their birth name in school. Let me be clear – a parent's involvement in their child's school life is essential to a child's success. However, this bill provides no protections for parents – it just creates more paperwork and bureaucracy while fostering a culture of fear and distrust between parents and schools and between students and teachers.

Beyond the obvious fearmongering this bill promotes, it also makes no sense. Kids give each other nicknames all the time, and we've never needed paperwork for that. It would have been ridiculous and a colossal waste of time if every single teacher that I had at elementary school had to write to my parents to get permission to call me Bobby instead of Robert. But low and behold, that is what Republicans would do— create a federal bureaucracy to make sure paperwork and permission slips went back and forth between schools.

For all my colleagues preaching about "local control," it's baffling that they think it's not federal overreach to mandate teachers get parental permission to call a student by their preferred name. I have been in public service for most of my life now, and I cannot recall a single constituent ever calling me about this. What I do hear from my constituents about is the lack of action by this body to address the epidemic of gun violence and school shootings. I can assure you, that is what parents would rather we be talking about today, and not culture war. For these reasons, I urge my colleagues to vote no.

Next, we will consider a resolution to nullify the Department of Labor's repeal of an illegal 2018 Trump Administration regulation, which sought to expand the circumstances under which association health plans, or AHPs, could be offered. The Biden-Harris Administration's final rule, finalized in April of this year, is simply eliminating confusion for the regulated community and complying with a federal court's ruling by removing an invalidated regulation from the books because it was found to be inconsistent with the law. Frankly, the Committee is wasting its valuable time by considering this resolution because it would accomplish nothing except re-insert a vacated regulation that will never take effect.

Beyond the futility of this resolution, the Republicans' goal to expand AHPs as a way to lower costs is completely misguided. AHPs may provide lower costs for *some* cherry-picked enrollees who are younger and healthier, but they do so by evading ACA consumer protections and shifting costs onto everyone else who is left behind. This

resolution is an unserious effort, and it props up a discredited approach that Republicans have been pushing for years that will lower the quality of care and raise the cost of health care for Americans. I oppose this resolution and urge my colleagues to do the same.

The *Healthy Competition for Better Care Act* attempts to address the problem of anti-competitive practices in health care, which lead to higher prices for patients, lower wages for health industry workers, and lower quality of care. While this bill aims to prohibit certain anticompetitive terms in group health plans, it also includes vague and potentially expansive carveouts. These anticompetitive practices must be reined in, and I'm hopeful the Committee will take action on this issue in the future. But the bill's loopholes and an unprecedented option for states to exempt certain arrangements from a provision of ERISA undermine what I believe is good legislative intent. For these reasons, regrettably, I cannot support the bill but look forward to additional deliberative action on this issue.

Finally, we will consider the *Transparent Telehealth Bills Act of 2024*. Since the start of the pandemic, our health care system has made significant advances in telehealth, and many patients receive care virtually. Unfortunately, some providers still charge patients unnecessary facility fees, even if the treatment did not occur at a facility. Although my colleagues across the aisle describe this bill as an attempt to protect consumers from facility fees, the bill— as circulated— only prohibits health care plans from paying more when these fees. In other words, it does not prohibit providers from charging such fees unnecessarily, nor does it protect consumers from paying them. Democrats are prepared to offer needed improvements to protect patients from these fees in hopes that the Committee can further work together on this issue.

It would have been far more productive to address many of these issues on the front end and introduce a bipartisan, comprehensive proposal, but hopefully, an amendment from my colleague will ensure that there is a commitment to getting this right moving in the right direction.

Thank you, and I yield back the remainder of my time.