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**Opening Statement of Rep. Henry A. Waxman
Chairman, Committee on Oversight and Government Reform
The Lack of Hospital Emergency Surge Capacity: Will the Administration's Medicaid
Regulations Make It Worse?
Day Two
May 7, 2008**

Today we are holding the second of two days of hearings on the impact of the Administration's Medicaid regulations on the ability of our nation's emergency rooms to respond to a sudden influx of casualties from a terrorist attack.

On Monday, we heard from leading experts that the emergency rooms in our nation's premiere trauma centers have little or no surge capacity.

We learned from them that many Level I trauma centers do not have the capacity to respond to a terrorist bombing like the one that happened in Madrid in 2004.

And we learned that the Administration's new Medicaid regulations are expected to make these problems worse by cutting off crucial funding.

The hearing left us with a number of important questions, which we hope to answer this morning.

Why would the Department of Health and Human Services, knowing that the nation's emergency care system is already stretched to the breaking point, withdraw billions of federal dollars from the hospitals that provide the most comprehensive emergency care to the most seriously injured?

Why would the Department of Health and Human Services take this drastic step without first considering the impacts of its actions on emergency preparedness or consulting with the agency with lead responsibility for homeland security?

Why would the Department of Homeland Security, which is the federal agency with lead responsibility for protecting the nation against terrorist attacks, stand by while local emergency surge capacity is compromised?

The impact of the Medicaid regulations on our health care safety net is not a partisan issue. Last month, Republicans in the House joined with Democrats in passing bipartisan legislation that would postpone the regulations and give Secretary Leavitt and Secretary Chertoff an opportunity to reevaluate their implications for homeland security.

The issue we are considering today is one that concerns all Americans: how to ensure we have a robust response capacity in our emergency rooms.

If the unthinkable happens — and we've learned that the unthinkable can happen — lives will be lost unless emergency care is immediately available. If a major city experiences a terrorist bombing like the one that occurred in Madrid, there will be a "golden hour" that determines whether the most severely injured survive or die. The federal government's job is to do everything possible to ensure that emergency care resources are ready during that golden hour.

Certainly, our government should not be taking actions that undermine the prospect of an effective emergency response.

That is why we are having this hearing, and that is why I look forward to the testimony of Secretary Chertoff and Secretary Leavitt this morning.