



For Immediate Release
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Contact: Erin Shields
202-224-4515

**Statement of Senator Max Baucus (D-Mont.)
Executive Session to Consider Adoption Incentive,
Elder Justice, and Patient Safety Proposals**

Hubert Humphrey said: “The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life — the sick, the needy, and the handicapped.”

Today, we consider three bills to improve the lot of those in the dawn of life, those in the twilight of life, and those in the shadows of life. Today we consider three measures that meet the moral test of what we should be doing.

First, the dawn of life: Adoption and foster care.

Children depend on the love and care of their parents. Inherent in parenthood is the promise to love, support, and protect one’s children. Unfortunately, sometimes, for one reason or another, those promises are not kept.

When that happens, a child’s wellbeing hangs in the balance. And we as a society have to decide in which direction we will tip the scale. With the adoption and foster care bill that we consider today, this Committee tries to tip the scale in the right direction — in favor of kids.

There are more than half a million kids in foster care in America. More than 10,000 of those kids are Indian children. The adoption and foster care bill that we consider today will help those kids.

The adoption and foster care bill before us today would do four major things. It would reauthorize and improve the adoption incentives program. It would provide subsidized guardianships and other needed supports for relative caregivers. It would give Tribes direct access to foster care and adoption funds. It would extend foster care to kids aging out of the system.

Many of our Colleagues have contributed pieces of the adoption and foster care package that we consider today. Senator Grassley wrote the Improved Adoption Incentives and Relative Guardianship Support Act. Senator Rockefeller wrote the Adoption Equality Act. Senators Snowe and Clinton wrote the Kinship Caregiver Support Act. And Senator Boxer wrote the Foster Care Continuing Opportunities Act.

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All of these bills, as well as my own Tribal Foster Care and Adoption Access Act, are reflected in the Chairman's mark on the adoption and foster care bill before us today. With this mark, we tip the scale in the right direction for kids. But let us remember that as a Committee we must next turn our attention to child welfare finance reform and finish the job.

Second: We also have before the Committee today the Elder Justice Act, addressing Americans in the twilight of life.

We marked up almost identical legislation in the last two Congresses. And the Committee unanimously agreed to report it out, both times. Unfortunately, it did not make it through the Senate. I'm hoping that the third time is the charm.

The problems that this legislation addresses have not gone away. Elder abuse, neglect, and exploitation are, if anything, getting worse. Each year, more and more seniors need care. That means more folks are susceptible to elder abuse, neglect, and exploitation.

Many of our nation's seniors are suffering. Mistreatment of elders is among the most heart-wrenching of circumstances. We must act.

Elder abuse has not received the attention that it should. In part, that's because not enough is known about the scope and magnitude of the problems that seniors face.

This legislation would increase the data available. And this bill would dedicate a group of Federal officials, with their own experts, to work on issues of elder mistreatment.

I am pleased that this legislation would focus attention on these problems. And I want to recognize the good work of our Colleagues, Senators Lincoln and Hatch, and in earlier years, Senator Breaux, on this bill.

And third, on our agenda today is the Patient Safety and Abuse Prevention Act, the criminal background checks bill.

This bill would encourage every state to perform criminal background checks on nursing home and other long-term-care workers with direct access to patients. It builds on a demonstration project that Congress included in the Medicare Modernization Act of 2003. Seven states participated in that demonstration project.

The earlier demonstration project kept thousands of prospective employees with disqualifying criminal records from gaining access to nursing home residents and other frail patients. Patients are safer, because of that law.

I am pleased that we are considering this bill. And I want to recognize the work of our Colleague, Senator Kohl, as a champion for criminal background checks.

And so, let us report these three important bills. Let us act to improve the lot of those in the dawn of life, those in the twilight of life, and those in the shadows of life. And let us advance these measures that meet the moral test of what we should do.