

MEASURE READ THE FIRST  
TIME—H.R. 4

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 4) to reauthorize programs of the Federal Aviation Administration, and for other purposes.

Mr. MCCONNELL. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

IMPROVING ACCESS TO BEHAVIORAL HEALTH INFORMATION TECHNOLOGY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 1732 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The bill clerk read as follows:

A bill (S. 1732) to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the Whitehouse amendment, which is at the desk, be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2241) was agreed to, as follows:

(Purpose: To improve the bill)

Strike section 2 and insert the following:

**SEC. 2. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.**

Section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)) is amended by adding at the end the following new clause:

“(xxv) Providing incentive payments to behavioral health providers for the adoption and use of certified electronic health record technology (as defined in section 1848(o)(4)) to improve the quality and coordination of care through the electronic documentation and exchange of health information. Behavioral health providers may include—

“(I) psychiatric hospitals (as defined in section 1861(f));

“(II) community mental health centers (as defined in section 1861(ff)(3)(B));

“(III) clinical psychologists (as defined in section 1861(ii));

“(IV) clinical social workers (as defined in section 1861(hh)(1)); and

“(V) hospitals, treatment facilities, and mental health or substance use disorder providers that participate in a State plan under title XIX or a waiver of such plan.”.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (S. 1732), as amended, was passed, as follows:

S. 1732

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Improving Access to Behavioral Health Information Technology Act”.

**SEC. 2. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.**

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“(III) clinical psychologists (as defined in section 1861(ii));

“(IV) clinical social workers (as defined in section 1861(hh)(1)); and

“(V) hospitals, treatment facilities, and mental health or substance use disorder providers that participate in a State plan under title XIX or a waiver of such plan.”.

ORDERS FOR TUESDAY, MAY 8,  
2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2:30 p.m., Tuesday, May 8; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. I further ask that following leader remarks, the Senate proceed to executive session and resume consideration of the Engelhardt nomination; finally, that all time during recess, adjournment, morning business, and leader remarks count postcloture on the Engelhardt nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators CASSIDY and CANTWELL.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

NOMINATION OF KURT  
ENGELHARDT

Mr. CASSIDY. Mr. President, the nomination before us is for the U.S. Court of Appeals for the Fifth Circuit, specifically for Judge Kurt Engelhardt, and I rise today to voice my strong support.

Judge Engelhardt is a Louisiana native, earning both his bachelor's degree and law degree from Louisiana State University. I should note that Judge Engelhardt was a member of the Golden Band from Tigerland as a law student, one of the great college marching bands. He may have missed all of that marching because he took up marathon running a few years ago and has now completed 13 full marathons, including the Boston Marathon and the New York City Marathon. All of this is to say that the man has a personal life that is active and vigorous, but he also has a legal life.

After law school, Judge Engelhardt clerked for Judge Charles Grisbaum of the Louisiana Fifth Circuit Court of Appeals. He then practiced law at Little & Metzger in Metairie before becoming an associate and then partner at Hailey, McNamara, Hall, Larmann & Papale in Metairie.

In 2001, President George W. Bush nominated Judge Engelhardt for a seat on the U.S. District Court for the Eastern District of Louisiana. The Senate confirmed him by a voice vote in December 2001, demonstrating that this body gave him bipartisan support as the quality candidate he was. He has been the chief judge of the Eastern District of Louisiana since 2015.

Judge Engelhardt has been an active member of the New Orleans Chapter of the Federal Bar Association, serving on the board of directors for 10 years and as chapter president in 2011. He has active memberships in the Federal District Judges Association, the Louisiana State Bar Association, the New Orleans Bar Association, the Jefferson Bar Association, and the Fifth Circuit District Judges Association.

In 2004, Judge Engelhardt was appointed by the Supreme Court to serve on the Judicial Conference Committee on Federal-State Jurisdiction for two terms, and he has also served on the Louisiana Supreme Court's Judiciary Commission.

Judge Engelhardt was also very active in serving the New Orleans community, having served on the board of directors of the Cancer Association of Greater New Orleans for more than 20 years.

Judge Engelhardt was confirmed out of the Judiciary Committee on February 8, 2018, on a bipartisan basis. The committee recognizes that confirming good, qualified judges who uphold the Constitution is one of the Senate's top priorities.