

EXECUTIVE VP/CEO: DONALD R. SMITHBURG | MEDICAL DIRECTOR: MICHAEL K. BUTLER, M.D.

## IN THE NEWS

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[TUESDAY, JUNE 05, 2007]

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## **Legislature needs to act soon to help build new hospital**

**The Advocate | 06.05.07**

By MARSHA SHULER

The federal Veterans Administration is still on track for a joint venture hospital development with LSU in New Orleans, the state's top construction manager said Monday.

But, the Legislature needs to send a clear message and soon that it is on board with the project, state Facility Planning and Control chief Jerry Jones said.

Key will be the Legislature's vote on a resolution supporting an application for \$300 million in federal hurricane recovery money from the U.S. Department of Housing and Urban Development, Jones said.

"If we bring it to a vote of the Legislature and it's approved ... it would get it off dead-center," Jones said.

The initial vote could come in the House by week's end, House Speaker Joe Salter, D-Florien, said after a briefing to get House members familiar with the project. Only about a dozen of the 105 House members attended.

The \$300 million is the seed money for a \$1 billion-plus new LSU teaching hospital and trauma center in downtown New Orleans.

A request for \$74 million in HUD funds for land purchase and planning has been pending since late March. The Legislature is voting on the remaining \$226 million now that a business plan has been completed showing a 484-bed hospital would be financially viable.

Republican lawmakers blocked an earlier attempt to seek all the money in one HUD application. HUD received mixed signals from the congressional delegation, including an early letter from U.S. Sen. David Vitter, R-La., questioning the project.

"The VA is not going anywhere yet, but we need to move," Jones said.

Jones said Mississippi and Florida are trying to wrest the project away.

<http://www.2theadvocate.com/news/7836302.html>

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**Today at the Legislature for June 5**  
**The Advocate | 06.05.07**

House convenes at 2 p.m.  
Senate convenes at 1:30 p.m.

**HOUSE COMMITTEE MEETINGS**

**ADMINISTRATION OF CRIMINAL JUSTICE:** 10:30 a.m. in Room 6. Schedule includes: SB147 relative to the punishment of an offender who commits first-degree murder. SB221 relative to gambling or wagering at any cockfight. HB217 creates the Inmate Reimbursement Act.

**EDUCATION:** 9:30 a.m. in Room 1. Schedule includes: HB188 relative to requirements for granting certification to teachers who hold valid out-of-state certificates and who have been employed as teachers in La. in BESE-approved nonpublic schools HB623 establishes the Vouchers for Students Pilot Program. HB641 includes local public school speech-language pathologists and audiologists, occupational therapists, and physical therapists in definitions of persons eligible for specified sabbatical and sick leave benefits. HB761 establishes the Vouchers for Students Pilot Program in certain parishes.

**HOUSE AND GOVERNMENTAL AFFAIRS:** 10 a.m. in Room 2. Schedule includes: HB964 confidentiality of certain records of nonprofit health-care quality improvement corporations. SB266 authorizes the Joint Legislative Committee on the Budget to review, amend, and approve or disapprove various proposals and plans submitted by the Louisiana Recovery Authority. SB128 Constitutional amendment to authorize the Legislature to permit the payment of supplemental pay to certain sworn commissioned full-time law enforcement officers and certain firefighters.

**HEALTH AND WELFARE:** 9 a.m. in Room 5. Schedule includes: SB72 relative to child welfare matters. SB91 relative to the care of abused and neglected children. SB1 authorizes the Department of Health and Hospitals to develop and implement a health-care delivery system for Medicaid recipients and low-income uninsured citizens.

**INSURANCE:** 9 a.m. in Room 3. Schedule includes: SB153 depopulation of the Louisiana Citizens Property Insurance Corp. SB195 privatization of the Louisiana Citizens Property Insurance Corp. SB204 provides for changes in homeowner insurance policy deductibles. SB205 creates an office of consumer advocacy in the Department of Insurance.

**SENATE COMMITTEE MEETINGS**

**FINANCE:** Upon adjournment in Room E. Discussion and consideration of state budget (HB1) for FY 2007/2008.

**JUDICIARY A:** 10 a.m. in Hainkel Room. Schedule includes: SB107 provides for an award of exemplary damages relative to certain insurance claims. HB178 provides relative to prenatal neglect.

**JUDICIARY B:** 9 a.m. in Room F. Schedule includes: SB190 provides for the calculation of franchise payments for video draw poker devices. SB224 restriction of certain displays on electronic video bingo machines. HB547 increases the amount wagered and maximum amount won per video draw poker device game.

**JUDICIARY C:** 9:30 a.m. in Room A-B. Schedule includes: SB172 compensation for wrongful conviction and imprisonment. HB108 prohibits promoting or conducting cockfights. HB436 creates the Louisiana Public Defender Board and provides with respect to the delivery of public defender services in the state of Louisiana.

**ON THE INTERNET:**

Copies of the bills, complete committee agendas and view meetings via the Internet, available at <http://www.legis.state.la.us/>  
<http://www.2theadvocate.com/news/politics/7836007.html>

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## Legislative briefs for June 5, 2007

### The Advocate | 06.05.07

By CAPITOL NEWS BUREAU

A House committee Monday approved legislation to “direct” the state to tear down the barricade and erect a new traffic light at the Cora Drive intersection with Florida Boulevard in Baton Rouge.

Rep. Hunter Greene, who sponsored House Concurrent Resolution 156, said he used “direct” in hopes of getting more action out of the state Department of Transportation and Development on the intersection about 3,000 feet east of Airline Highway near Cortana Mall.

DOTD routinely ignores legislative resolutions that use the more traditional wording of “urge and request,” said the Baton Rouge Republican.

Peter Allain, Chief of DOTD’s Traffic Engineering Division, probably 40,000 vehicles a day pass that section of road. Engineers determined that traffic flow is better without a traffic light.

Rep. Jim Tucker, R-Terrytown, said any early morning rush hour was enough proof that the Broadmoor subdivision needs another access point onto Florida other than Sharp Road.

HCR156 now goes to the full House. A concurrent resolution also requires the approval of the Senate but not the signature of the governor.

#### House votes to abolish Insurance Rating Commission

The Louisiana Insurance Rating Commission should be abolished and a consumer advocacy office within the state Department of Insurance created, the Louisiana House overwhelmingly voted Monday.

House Bill 960 by state Rep. Karen Carter, D-New Orleans, said adding a deputy commissioner in the Department of Insurance should help provide more “strenuous consumer protections.”

“Louisiana is one the last states to rid itself of this obscure way,” Carter said, referring to the existence of a rating commission.

Rep. Jeff Arnold, D-New Orleans, cast the only dissenting vote, but changed it afterwards to avoid being “the deer standing in the headlights.”

Arnold said he more consumer protections are needed, but such responsibilities should not go to the Department of Insurance just because most states do it.

That is “putting the fox in the hen house,” Arnold said, noting that three of the past five insurance commissioners have been indicted.

An amendment was approved that requires a majority House and Senate vote to fire the consumer advocate, a move intended to keep the insurance commissioner from controlling and pressuring the advocate.

The bill next goes to the Senate.

#### Senate changes mind; votes for mental health, substance abuse coverage

The state Senate reversed itself and approved legislation Monday, which it had voted against last week, that would require employee’s health insurance cover treatments for mental illness and substance abuse.

Senate Bill 93 would require that all group policies cover treatments for mental illness, alcoholism and drug dependency. It would go into effect in January 2008.

Sen. Ben Nevers, D-Bogalusa, agreed to amend SB93 to limit the number treatments to 52 visits. The move won over Sen. Ken Hollis, R-Metairie, who said he opposed the measure for the May 31 vote because “it was so open-ended.”

In Monday’s ballot, the Senate voted 27-9. The measure now goes to the House for consideration.

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#### House panel tables physician tax credit for later date

A House committee heard testimony Monday then held onto legislation that would give a tax credit aimed at attracting doctors to hurricane-damaged parishes.

The House Ways and Means Committee will vote on House Bill 609 at a later date.

The measure would allow physicians to subtract from their income tax the amount they pay for medical malpractice insurance

The average premium for malpractice insurance is \$37,280, according to testimony.

The Legislative Fiscal Office noted that the tax credit "is likely to eliminate the entire state income tax liability" for many doctors and cost the state \$23 million a year.

#### House committee approves tax break for Louisiana utilities

A House committee Monday approved a \$3 million tax break for Entergy Corp. and other Louisiana utilities.

Before the House Ways and Means Committee favorably recommended House Bill 170, they amended the measure to focus the sales tax exemption only on the equipment used to make electricity.

HB170 had exempted from the 4 percent state sales taxes all machinery used by electric utilities and would have cost the state about \$19 million per year.

Lawmakers expressed concern about the high amount of money that would be removed from the state's revenues and limited the exemption's scope.

Jack Hanemann, an Entergy executive who lobbies for the company, said the entire amount would be returned to the utility's 1 million Louisiana customers in the form of lower rates on their monthly electric bill.

#### Funds shift approved by House

The House agreed to a budget maneuver that would shift \$834 million from a pool of \$1.3 billion in unspent money available this year into funds that can be tapped in next year's budget for ongoing expenses.

The largest slice of the money, \$531 million, would go to health care funds that will pay for services in the upcoming budget year that begins July 1. Other money in House Bill 615 would be earmarked to funds for communications equipment, state police, juvenile justice and education. The bill, approved 77-17, heads next to the Senate for debate.

The House also agreed to spend more than \$55 million of the extra budget cash from the current year to help fill in gaps for the Public Service Commission and the Louisiana State Police, to beef up funding for the LSU public hospitals in Shreveport and Monroe, to market the Essence Music Festival in New Orleans, to cover insurance premiums for the Recovery School District in New Orleans and to provide for several pet projects sought by lawmakers.

House Bill 953 was approved in an 87-14 vote and sent to the Senate.

The money comes from \$1.3 billion in extra, unspent cash for the current fiscal year, the 2006-07 year that ends June 30.

#### Judicial retirement benefits increase gets House OK

The House approved a bill that would boost the retirement benefits of 21 retired judges and 38 surviving spouses of deceased judges, a proposal repeatedly rejected over the past few years by the Senate Retirement Committee.

House Bill 818 again will head to that Senate committee, which in past years has questioned why a small group of judges and their spouses in a special retirement plan should get increased benefits. The measure would cost the state an estimated \$1.1 million over five years.

The House voted 95-1 for the bill by Rep. Alex Heaton, R-New Orleans, who said the price tag was small and would shrink as the elderly judges die.

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### Senate panel approves state construction budget process

An effort to overhaul the process for crafting the state's annual construction budget received approval Monday from the Senate Revenue and Fiscal Affairs Committee.

The construction budget tends to become a wish list each year. The governor's office submits a bill, and then the House and Senate stuff the bill with more projects when there isn't enough money to go around.

That leaves the governor's office to choose among the hundreds of items to determine which few actually get in line for funding, and some lawmakers complain that takes away their authority to decide on spending.

Sen. Robert Adley, D-Benton, wants to make the construction budget bill, known as "capital outlay," closer to the actual dollars available. He tried — but scrapped — a similar attempt last year.

"The Legislature ought to have more independence in dealing with this issue, and the Legislature ought to have more say-so about what ends up in the budget," Adley said.

The Senate committee agreed to send his bill to change the process (Senate Bill 174) to the full Senate without objection.

As it awaits debate in the Senate, the construction budget proposed in House Bill 2 for the upcoming fiscal year is \$6.5 billion. About \$580 million in proposed new projects are competing for about \$143 million in lines of credit available for the fiscal year that begins July 1.

### House unanimously approves state court system budget

The House unanimously approved House Bill 931, a nearly \$139 million budget for the state's court system next year. That's about \$11 million more than the current year. The House also agreed 95-1 to an \$80 million budget for legislative agencies next year in House Bill 920, which would grow nearly \$8 million — 10 percent — over current year spending.

Compiled by the Capitol news bureau and The Associated Press

<http://www.2theadvocate.com/news/7835527.html?showAll=y&c=y>

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**BRIEFING BOOK**

**Times – Picayune | 06.05.07**

**AROUND THE CAPITOL**

**Future plants seed money?**

The ThyssenKrupp steel mill is on its way to Alabama, but Economic Development Secretary Michael Olivier wants his agency to keep control of a \$300 million incentive fund that the Legislature created last year to help lure the German steelmaker to St. James Parish. Olivier, testifying in the Senate Finance Committee on Monday, said the state already has \$100 million worth of projects that can be financed in the upcoming fiscal year. He said the money is needed to keep Louisiana competitive with neighboring states that have similar-size, or larger, incentive funds set aside to lure manufacturing projects. But several legislators have proposed alternate uses for the money in the fund since the steel mill project was lost -- including using part of it to help shore up the Road Home grant program for hurricane-damaged homesteads, and to repair roads throughout the state.

**Clearing accounts**

The House on Monday agreed overwhelmingly to a number of spending bills that augment the \$29.7 billion budget approved last week. House Bill 920 by Speaker Joe Salter, D-Florien, would provide \$66 million to finance the operation of the House, Senate and legislative agencies in the 2008 fiscal year -- a \$5.5 million increase over current-year levels. House Bill 931 by Rep. John Alario, D-Westwego, would provide \$138.7 million for state courts, or \$11 million more than the current year. And House Bill 615, also by Alario, would move about \$823 million in unobligated cash from the state general fund into various other funds -- an accounting trick that lets the money be spent in future years. Finally, legislators passed Alario's House Bill 953, which funnels money to various state agencies to make up shortfalls in the current-year budget. Legislators passed the bill 87-14 after rejecting an amendment by Rep. Francis Thompson, D-Delhi, to direct \$576,500 to the Black Bear Golf Club in his district.

**Judicial perks**

The House approved a bill that would boost the retirement benefits of 21 retired judges and 38 surviving spouses of deceased judges, a proposal repeatedly rejected over the past few years by the Senate Retirement Committee. House Bill 818 again will head to that Senate committee, which in past years has questioned why a small group of judges and their spouses in a special retirement plan should get increased benefits. The measure would cost the state an estimated \$1.1 million over five years. The House voted 95-1 for the bill by Rep. Alex Heaton, R-New Orleans, who said the price tag was small and would shrink as the elderly judges die.

**STAYING IN TOUCH**

To contact lawmakers:

-- Senate: (225) 342-2040; fax: (225) 342-0617

-- House: (225) 342-6945; fax: (225) 342-8336

**TRACKING BILLS**

Citizens can find the Louisiana legislative home page on the Internet at [www.legis.state.la.us](http://www.legis.state.la.us). Information on legislators, committee assignments, schedules and bills is available, as well as information on services for people with disabilities.

**TODAY'S SCHEDULE**

House reconvenes today at 2 p.m.

House committees:

-- Administration of Criminal Justice, 10:30 am

-- House and Governmental Affairs, 10 a.m.

-- Health and Welfare, 9 a.m.

-- Insurance, 9 a.m.

Senate reconvenes today at 1:30 p.m.

Senate committees:

-- Judiciary A, 10 a.m.

-- Judiciary B, 9 a.m.

-- Judiciary C, 9:30 a.m.

**QUOTABLE**

"It's good to see that after all these years you're supporting pay raises and new positions."

Sen. FRANCIS HEITMEIER, D-New Orleans, speaking to Republican Secretary of State Jay Dardenne, a former senator who told the Senate Finance Committee that he was backing a bill to raise the pay of poll workers on Election Day and was seeking more permanent elections employees.

<http://www.nola.com/news/t-p/capital/index.ssf?/base/news-4/118102776212400.xml&coll=1>

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## Notes and quotes from the Louisiana Legislature The Associated Press | 06.04.07

BATON ROUGE, La. (AP) — Add Louisiana Economic Development Secretary Mike Olivier's name to the list of people around the state Capitol who have an idea of what to do with a \$300 million pool of money that lawmakers set aside last year to lure a German steelmaker to Louisiana.

Louisiana lost its bid for the steel mill to Alabama, but the \$300 million remains in the fund. And a slew of state officials and lawmakers are recommending ways they think the dollars should be spent.

Olivier told the Senate Finance Committee on Monday that he thinks the full pool of cash should remain in an economic development fund. He said one-third of that money could be used this year for projects the economic department is working on around Louisiana, and the other \$200 million would help the department attract other large projects to the state.

"We need to have a fund," he said, citing funds in neighboring states that top \$350 million.

Olivier said the fund — with spending needing approval from the Legislature's joint budget committee — could be a quick source of money for infrastructure improvements and other site work when the state is trying to lure a new business to Louisiana.

Senators pointed out there are several proposals seeking to tap into the steel mill fund. Lawmakers have suggested using the steel mill dollars for roads, the shortfall in the post-hurricane Road Home program and other items.

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The House agreed to a budget maneuver that would shift \$834 million from a pool of \$1.3 billion in unspent money available this year into funds that can be tapped in next year's budget for ongoing expenses.

The largest slice of the money, \$531 million, would go to health care funds that will pay for services in the upcoming budget year that begins July 1. Other money in the bill (House Bill 615) would be earmarked to funds for communications equipment, state police, juvenile justice and education. The bill, approved 77-17, heads next to the Senate for debate.

The House also agreed to spend more than \$55 million of the extra budget cash from the current year to help fill in gaps for the Public Service Commission and the Louisiana State Police, to beef up funding for the LSU public hospitals in Shreveport and Monroe, to market the Essence Music Festival in New Orleans, to cover insurance premiums for the Recovery School District in New Orleans and to provide for several pet projects sought by lawmakers.

That bill (House Bill 953) was approved in an 87-14 vote and sent to the Senate.

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An effort to overhaul the process for crafting the state's annual construction budget received approval Monday from the Senate Revenue and Fiscal Affairs Committee.

The construction budget tends to become a wish list each year. The governor's office submits a bill, and then the House and Senate stuff the bill with more projects when there isn't enough money to go around.

That leaves the governor's office to choose among the hundreds of items to determine which few actually get in line for funding, and some lawmakers complain that takes away their authority to decide on spending.

Sen. Robert Adley, D-Benton, wants to make the construction budget bill, known as "capital outlay," closer to the actual dollars available. He tried — but scrapped — a similar attempt last year.

"The Legislature ought to have more independence in dealing with this issue, and the Legislature ought to have more say-so about what ends up in the budget," Adley said.

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## Hurricane would be 'big demand' on hospital staffs

### The Town Talk | 06.01.07

By Sarah Crooks Clancy

They're working from real-life experience.

"We saw over 1,000 (displaced) people at Cabrini between Hurricanes Katrina and Rita," said Mary Tarver, Christus St. Frances Cabrini's risk management and safety manager and Region 6 coordinator for the Health Services Resource Administration.

So she knows that within 12 hours, the 18 health-care facilities in Central Louisiana could find room for 148 patients -- a number predicted by HSRA based on local population and resources -- evacuated from South Louisiana.

"The number of beds available changes on a daily basis, several times a day," Tarver said. "But we communicate with each other until we have absorbed as many patients in the state as we can."

What might be a little more difficult is finding the 20 extra people -- nurses, physicians, case managers, respiratory therapists -- needed to provide care to each additional group of 50 patients.

"It would be a big demand on staff," Tarver said, especially since Cenla's own medical needs have increased since 2005.

"But we know we can surge to that capacity. Because we lived through it, we've seen the worst-case scenario. We've already been through what we thought we'd never have to do."

Gary Crockett, administrator for the Huey P. Long Medical Center, said his hospital also can accommodate additional patients, but would need help treating them.

"One thing that we have become is the surge hospital for LSU Health Care Services Division," Crockett said.

That means LSU system hospitals in Lake Charles, Independence, New Orleans, Lafayette and Bogalusa could all potentially send patients here if a hurricane threatens South Louisiana.

"We could probably open 120 beds total," Crockett said. "But those facilities would have to bring staff and equipment with them."

Another problem from 2005 that is being addressed is communication.

"Everybody ran into problems with communication during Katrina," said Jay DeWorth, public affairs officer for the Veterans Affairs Medical Center in Pineville. "That was probably the biggest problem we had."

That's why the VA now has a satellite communication system with phone and Internet capabilities, a mobile command center and mobile field hospital.

And that's why the Louisiana Hospital Association now uses 800 MHz radios -- and the State Police radio tower system -- to keep in touch during emergencies.

"That was the biggest thing in 2005," Tarver said. "We needed to talk to each other and couldn't. We have weekly radio checks each Monday."

Other changes since 2005:

- Hospital emergency plans now include provisions for five days' worth of food, water and other resources. If hospitals can't be self-sufficient for five days, early evacuation is recommended.
- ICU and NICU patients are evacuated first.
- New software allows Louisiana hospitals to track patients, medical equipment and available beds -- helping staff keep track of where patients came from and where they are going.
- The Rapides Regional Medical Center installed quick disconnects for emergency generators.

But these are tools and tactics that could be used during any emergency -- not just a hurricane.

"One good thing about hurricanes is that you have time to plan for them," Tarver said.

"We're prepared right now for any type of mass casualty in our community. And we're certainly aware of the hurricane possibility, but we're continually prepared for disasters of any type."

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Keeping in mind, too, that circumstances are different now:

- The state's evacuation plan doesn't allow for shelters below the Interstate-10 corridor -- meaning Central Louisiana will be the first stop for many evacuees.
- The V.A. hospital in New Orleans no longer offers inpatient services.

"There wouldn't be a need for us to move New Orleans patients to another hospital like we did with Katrina," DeWorth said.

But during an evacuation, the V.A. would have to help provide outpatient services for the 30,834 veterans in the New Orleans area.

- New Orleans hospitals have yet to return to pre-Katrina capacity.

"Those patients have fanned out to Baton Rouge and Lafayette," Tarver said. "And that has created a health-care struggle in the state."

Flexibility is key, said Charles Luttrull, Rapides Regional Medical Center's safety and security officer.

"When Katrina came, it was a lesson to us all. But daily, monthly, we're always thinking emergency preparedness," Luttrull said. "You have to be in health care."

<http://www.thetowntalk.com/apps/pbcs.dll/article?AID=2007706010340>

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## **Kids Face Life and Death Without a Net [VIDEO]**

**ABC News | 06.03.07**

By DAN HARRIS

If the 9 million American children without health insurance held hands, they would easily stretch from coast to coast.

Brenda Tinch's son is one of those children. Tinch and her husband, whose job does not offer health benefits, struggle every month to pay for asthma medication. They've had to put off bills and borrow from the family members and fellow churchgoers.

"Without being able to provide for my kids," said Tinch, "it's a helpless feeling."

That's how Akia Anderson feels, too. Her daughter has a bone disease and needs an orthopedist, which Anderson cannot afford.

"That's my baby," said Anderson, "and I can't do what I need to do for her. I can't do what I need to do for her, so I feel helpless and hopeless."

Anderson has a job, too. But, like many families, she makes too much for Medicaid and too little to afford private insurance.

"If you judged a country by how it treats its most vulnerable people, we're certainly failing when you leave 9 million children behind," said Ron Pollack of the child advocacy group Families USA.

Marian Wright Edelman, of the Children's Defense Fund, called the problem a "national disgrace."

The crisis "not only costs lives of children and stress for families, but it also costs taxpayers money," she added.

Here's how it costs taxpayers money:

When Carol Martin's son, Simon, had an infected toe, she could not afford to take him to the doctor. She cut a hole in his shoe and hoped it would get better. But it got worse.

After five months fighting red tape, she got public insurance for her son, but by then his foot required expensive surgery -- a bill taxpayers swallowed.

"I'm not looking for a handout," said Martin. "I just need assistance. Health care. That's all."

When uninsured children do get medical care, that care is often inferior. One study from Families USA said an uninsured child is twice as likely to die when hospitalized, when compared to an insured child.

Even when a child is covered by government insurance, he or she can fall through the cracks. Like Deamonte Driver.

Driver's mother, Alyce, could not find a single dentist who would accept Medicaid. An abscessed tooth became a brain infection. Emergency treatment cost a quarter-million dollars, but it was too late.

"And my son had to die -- 12 years old -- because of a tooth," she said.

When asked about the 9 million uninsured children, Secretary of Health and Human Services Mike Leavitt said, "There is a widely held aspiration that we change that."

So what is being done about it?

"Well," said Secretary Leavitt, "there is a lot of talk about it, but thus far we have not achieved it. I think a moment is coming where we may see significant progress."

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If and when that moment comes, it will be too late for Devante Johnson. He lost his insurance coverage while in the middle of treatments for kidney cancer.

"He was my little angel from God," said Devante's mother, Tamika Scott. "He was only sent for a season -- but the season he was here he did well, and I'm just honored to be his mother."

Coming up on future weekends:

ABC News examines charges that state officials deliberately erect bureaucratic barriers so that parents have trouble enrolling their children in insurance programs -- as a way to save money.

A look at a program that many believe has been very successful in covering children in working families. Why some believe this program is now in jeopardy.

<http://abcnews.go.com/WN/Health/story?id=3240851&page=1>

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