

Fax rules could cause small businesses to suffer

The government is helping folks again — helping put us out of business.

As part of the Do-Not-Call law, the Federal Communications Commission amended its regulations to restrict the use of faxes for business.

The commission ruled that no one can send a fax with advertising information on it without having the written permission of the person to whom it is sent. This permission is good for three years.

You can't get permission by faxing someone a sheet. It has to be mailed to them, even if they have asked that you send them information.

Advertising information can be as little as your letterhead with a logo or slogan.

If you decide to do a little remodeling and want bids from two or three contractors, they won't be able to fax you the information.

If you want to send a bill to a customer who asks you to fax it to them, you couldn't unless you had their written permission to fax them first.

If you wanted the proof of an ad, a copy of a legal document, a bill, a bid, a purchase order, a set of plans or just about anything other than a letter from your grandmother, you'd better have sent the person faxing you written permission.

Worse yet, if you run a commercial fax business, you are liable for what other people send out on your line.

Businesses like Stanley Hardware in Oberlin would be liable not only for what they do, but for what other people do using their service.

The government, in its infinite wisdom, has put off implementation of this rule until January. However, after that violators can be sued for up to \$1,500 per fax.

In the cities, lawyers are gathering unsolicited faxes and paying \$2 each with the understanding that they can sue the sender and collect any damages for themselves.

What does all this mean?

It'll cost everyone more to do business.

That means that it'll cost the consumers more for goods and services. Businesses will not be able to give the kind of service that they should be able to provide because they'll be afraid of being sued.

And for what? Who gets so many faxes that they feel threatened by the overload?

Once, before e-mail spam, there were a lot of junk faxes. But now, why would anyone spend money sending faxes when they can junk up your e-mail for free?

This is another example of the government offering a steam shovel to swat a fly which has already flown off.

And, of course, the government will be exempt from the rules. As usual.

"We're from the government. We're here to help you."

— Cynthia Haynes

Cat that came to visit has left

We had to have a funeral in our back yard this week.

We had crossed the border from Juarez last Thursday and were still in El Paso, when my cell phone rang. It was my friend, Teresa, who had been "pet sitting" for us.

My first thought was "Oh, no! It's Max!" Max is our almost 15-year-old, diabetic Siamese who needs two insulin shots every day.

Teresa is an old farm girl who isn't afraid of giving Max his shots and volunteers to take care of him when we leave town.

Besides, she's an emergency medical technician and a licensed practical nurse, so I knew she was qualified to care for the cats.

But no, it wasn't Max. The call was about my cat, Snuggles. To clarify, Snuggles was actually my "grandcat."

He had been my daughter Kara's cat since he was a kitten.

Years ago, Kara had smuggled Snuggles into her apartment in Dallas without benefit of a pet deposit. One day the maintenance man came in unannounced, and she was "busted."

She had three days to get rid of the cat.

That's where I came in.

"M-o-o-o-m," she said in that pleading way only your child can. "Can you take Snuggles? I just CAN'T take him to the animal shelter. Ple-e-a-a-se. Oh, please, please, please."

"All right," I said.

Since Kara lived in Dallas, we agreed to meet halfway, in Wichita. We made the "cat swap," including all the paraphernalia that goes along with a house pet: Litter box, litter,



Out Back

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food, play toys and bed.

Snuggles actually seemed to enjoy the trip home. Since other cats in my life always hyperventilated at the mere sight of a car, this was a huge relief. I had had visions of this cat yowling, hissing and attacking during the trip.

To make a long story short, Snuggles had been a good cat, a quiet companion.

He liked to crawl up in my lap, he liked to find the warmest spot in the house for his naps, he liked to sleep on the pillow next to me.

When Jim and Max moved in after we got married, Snuggles had some adjustment issues.

Like step-brothers establishing their territories, Snuggles and Max tolerated each other in the beginning, but after a fashion, came to accept each other.

When Jim wanted to make me laugh, he would call him "Fuzzer." Sometimes, when he adopted an arrogant air, I would call him "Tuddy," short for "Attitude."

So it was Snuggles' funeral that we had last week. Teresa said she had taken him to the vet because he seemed to be paralyzed in his back legs and that we needed to call their office.

After some back-and-forth phone

calls and x-rays, the vet determined that he couldn't be helped and we made that awful decision all pet owners dread.

When God gave us dominion over all the animals, we have the right to use animals, but we also have the obligation to care for them. So, it was our duty to end his pain and let him go.

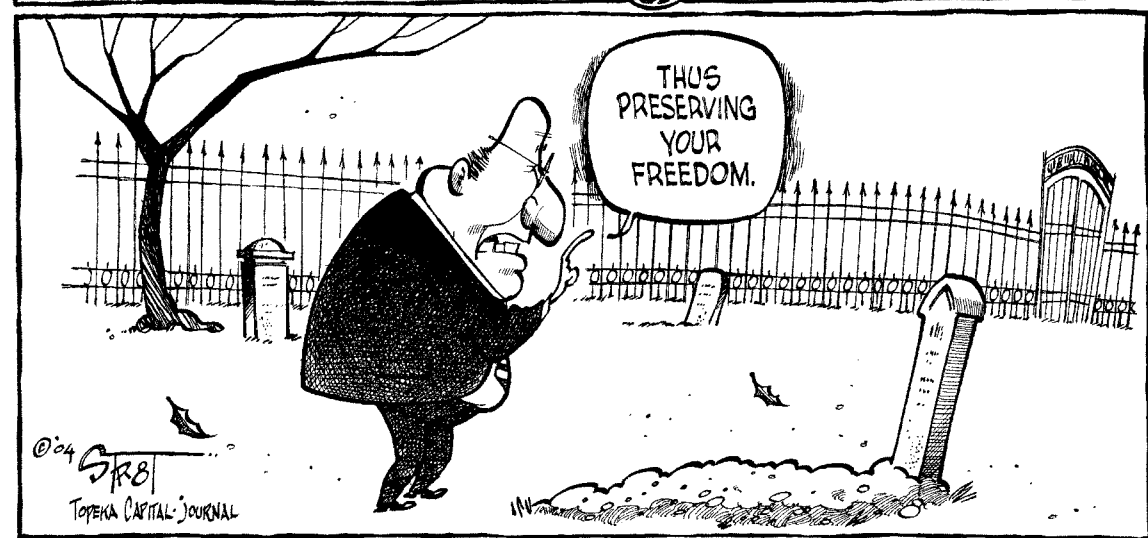
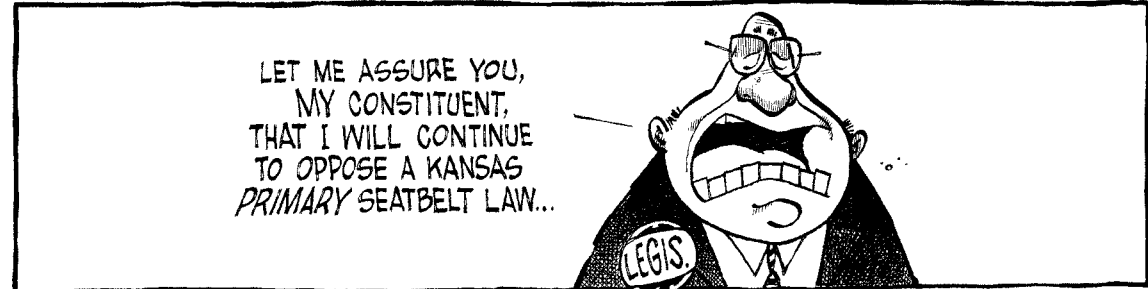
I know. It's only a cat. But I miss him.

Rest in peace, Snuggles.

From the Bible

After two days was the feast of the Passover, and of unleavened bread; and the chief priests and the scribes sought how they might take him by craft, and put him to death. But they said, Not on the feast day, lest there be an uproar of the people.

And being in Bethany in the house of Simon, the leper, as he sat at meat, there came a woman having an alabaster box of ointment of spikenard very precious; and she brake the box and poured it on his head. — Mark 14, 1-3



It took a while, but she like to fly

I love to fly on big airplanes that take me a long ways away.

Once upon a time, this was not true. I didn't trust airplanes — and with good reason.

When our oldest daughter was almost 3 and I was eight months pregnant with our second child, Steve and I took the train to Los Angeles to visit his brother Ken.

Ken was living the life of a care-free bachelor with a good job and no ties. He talked us into going to San Diego in a small plane with him, his girlfriend and another couple. The other man was the pilot; little brother was taking flight lessons.

We got into the six-seater, twin-engine plane with Steve up front with the pilot. I was in the middle seat with the pilot's girl friend and Ken and his girl friend were in the back.

But there was something wrong with the emergency locator transmitter. It went off while we were in the air. These things are supposed to go off if a plane crashes to lead rescuers to the wreck.

The malfunctioning device made it sound like a pair of fire engines were bracketing the plane all the way to San Diego, and then we tied up traffic at Lindbergh Field, a very busy airport, because we were jam-



Open Season

By Cynthia Haynes
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ming the radio frequencies.

The control tower was not happy, but it wasn't our fault.

After a nice dinner at a fancy restaurant on the bay, we returned to our plane for the trip back to L.A.

Shortly after takeoff, the pilot switched gas tanks because the first was running low. One engine immediately stalled. Then the other went out and the first came back in a weird ballet that had the pilot radioing the tower that we would be making an emergency landing on either the beach or the ocean.

We made it back to the field, but after that I was scared to death of planes — especially small planes.

Today, I still don't like little planes, but I've developed a fondness for flying.

I realized that when Steve went off to Tunisia and left me at home, one of the things I was most jealous

about was that he would be taking that long plane ride, and in business class, too.

It took a little soul searching to figure this out. Most people hate to be cooped up in an airplane with nothing to do for hours at a time.

That, I realized is why I like it. I'm a workaholic. At home, at work, on vacation, I'm always doing something.

When I get on a plane, I just sit there and read a book, take a nap, do a crossword puzzle or watch the tiny television. I'm trapped. There's nothing I can do but relax.

It's wonderful. And when we land, getting through the airport and getting our luggage is always an adventure.

What more could you want — relaxation and adventure. Well, an aisle seat would be nice, but you can't have everything.

Federal privacy rules are a pain

A couple of things are pretty obvious.

After listening to taxpayers and citizens at public meetings, people don't much like the new government regulations under the Health Insurance Portability and Accountability Act, popularly known as "HIPAA."

The other is, having their regulations in place, the federal bureaucrats have no intention of letting go. The so-called privacy lobby in Washington is far too strong to let that happen. And neither group much cares what we think out here.

After listening to voters in town after town on his 69-county "Listening Tour" of the 1st Congressional District, Rep. Jerry Moran said he is ready to try to do something about the law. The question is, what?

The HIPAA regulations, which have cost the medical and insurance industries billions thus far, sprang from just two lines in a law, known then as the Kennedy-Kassebaum Bill after our own former U.S. Senator. That section authorized the secretary of Health and Human Services to write regulations covering patient privacy rights.

The law was passed in 1996, and Rep. Moran likes to note that he was sworn in too late to vote on it. The privacy regulations did not go into effect for another seven years.

At first, the alarm came mostly from groups worried about open access to public records, but lately, the average citizen has started to figure out that the new rules are a pain.

It's likely that much of the trouble stems from the fact that the rules, progeny of a two-sentence section of a seven-year-old law, occupy most of a small book. No one under-



Along the Sappa

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stands them, save maybe the bureaucrats who wrote them.

Supposedly, patients have the right to decide how their own information is used. However, most hospitals have stopped offering people the option of being included in a public directory or of having their name released to newspapers, radio stations, ministers and the like.

Some hospital administrators say they can't do that; others say their lawyers have advised them not to get involved. Stiff fines, up to \$10,000 per occurrence, have many in the health care industry scared.

Others may just have a personal bias against letting patient information out.

Federal officials say there are exceptions in the law for information to go to ministers and the press, for example, but most hospitals seem to be unaware of those. Hospitals can offer people a chance to be in a directory or have their name in a published list of patients so their friends will know where they are, but it's just not happening.

Hospitals and nursing homes are supposed to work with people and tell them whether they have, say, your mother, but many don't know or don't care. They are scared of breaking the law.

And ordinary people, citizens, voters, are unhappy.

But what to do about it? That's Rep. Moran's problem.

There's little chance the rules will be repealed. The people who put them there stand in the way. The bureaucrats actually think they have done something wonderful.

Richard M. Campanelli, director of the Office of Civil Rights at Health and Human Service, spoke this month to members of the National Newspaper Association. He defended the regulations, saying they gave people power over their own medical records.

To the extent that's not happening, he said, it's mostly because people don't understand the new rules. How the average person, in or out of the medical field, could understand, is a question he avoids.

The rules may have been written to correct some real problems, but like most federal regulations, they do far more. They push government control into every corner of the health industry. Nursing homes, hospitals, doctors and pharmacists, all have spent untold hours and untold billions trying to comply.

In an era when health care costs are soaring, why is the government doing this?

To help us, of course.

We may not like it, but the people in Washington plainly do not care. They think they know best.

Sexual assault should not stay hidden

To the Editor:

Sexual assault and abuse, the often unreported and "silent" crime, affects every citizen in every community in Kansas. To increase public awareness, Gov. Kathleen Sebelius has proclaimed April as "Sexual Assault Awareness Month".

Sexual violence has become epidemic. Statistics from Kansas Coalition Against Sexual and Domestic Violence and Metropolitan Organization to Counter Sexual Assault show that one in three women and one in six men will be sexually assaulted in their lifetime.

The groups report that in Kansas,

Letter to the Editor

a sexual assault occurs every 8.5 hours, and at least three-fourths were perpetrated by someone the victim knew. During 2003, the Kansas Coalition Against Sexual and Domestic Violence reported that over 5,000 sexual assault victims were served by Kansas programs.

The national average shows that only 15 percent are reported to law enforcement.

Please join with Northwest Kan-

sas Family Shelter and take a stand against sexual violence in our communities. For information contact the shelter at (785) 625-3055 or (800) 794-4624.

Decide to end sexual violence: we can wait no longer.

Sue Merklein, Hays
Northwest Kansas
Family Shelter

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