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Health Department so they can go in and inspect and license. If that is not done, they will not receive their license, and they will get some publicity they need, you know, in order to properly do it.

(Start Belt #3)

I think this amendment just clarifies the language. There'll be no problem. It has been okayed. The Health Department, Dr. Smith told me yesterday that all of these organizations have backed the amendment. They've been consulted so I'm only doing what I feel is necessary to clear the language, not change the law.

SENATOR KELLY: Well, this being the first time I have seen this amendment, it appears to me that we started out changing and clarifying definitions and we have set up custodial homes as an intermediate people who need a little supervision but that are not of physical necessity need to be in a nursing home. Now, we're adding to that custodial definition that they can dispense medicines under prescription from the doctors. I'm not sure but what we're changing the definition of the custodial home in the previous bill. I question that probably this is not just a cleanup definition amendment, that this is changing the purpose of the custodial home to that of a nursing home. And, then I would ask Senator Kennedy as my hand. Did the public health and welfare committee have a public hearing on this amendment?

SENATOR KENNEDY: Not on this specific amendment. We had it on the entire bill as it was presented here and passed on but if we were changing the language and I can't see...I think Senator Clark has a pharmacist background...but, we are only doing what will qualify the federal people to pay the Medicare, Medicaid or old age assistance. But they must be licensed. Now, under here it very clearly says to me, "must conform to all state and federal statutes, rules and regulations." If anything, I think we're being probably more strict. This would be my feeling because we've had some of those homes without any supervision that do not conform with the statutes of the state and federal. You know, I...maybe I'm reading it wrong but I certainly agreed with Doctor Smith yesterday afternoon when he brought this amendment and felt that it was very necessary. We should have passed this bill last year.

SENATOR KELLY: Thank you very much.

SENATOR KENNEDY: Yes. I would hope that we could pass this bill. It should have been rushed through last year but again the process of handling our bills probably is better this way. I feel that it's not my amendment. It was agreed by and if you wish, I can even get a written letter from Doctor Smith. He sat in my office, handed it to me yesterday, we read it, he explained it. I think it's simple. It's agreed by probably 20 different organizations. He had a list of the organizations. He took it back with him. I don't have it. But, I felt that it was simple clarification and I hope I'm correct. I still feel that. And I would hope this body would adopt it and I would be the one that would be the most outstanding and outspoken if it is not correct. So, I would at this time we would go ahead. I think we have other bills that are real important. I think this bill is important. It should have been passed last year but if you don't have any other questions, I would move that we go ahead and put this amendment and pass the bill. If you have other bills coming later which I'm only chairman of the Health and Welfare, I have not seen a bill related to this subject. I think we ought to put it on where it belongs.

PRESIDENT: The chair recognizes Senator Stull. Excuse me, were you.. Senator Stull.

SENATOR STULL: Mr. President, and members of the Legislature. I think we have two clear choices here. We either have the provision provided in the amendment or are we just going to give these drugs to the people that's involved. Now, I don't think that their absolutely capable of taking these drugs on their own. And, I think that this amendment will do the job because you'll have a record of the drugs taken. If you