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obligation in the bill for the physician even to disclose to his patient the physical condition of his patient to the Department of Motor Vehicles. Same arguments the other day. They were true, they are not misrepresentations. Physicians have both an ethical responsibility from their private canons and under the statutes of the State of Nebraska to keep all communications, relative to the physical condition of the patient, confidential, privileged between physician and patient. The receipt or privilege of a drivers license is a matter between the individual and the State of Nebraska. As I said the other day, any criteria you want to place, on that individual who applies or seeks to maintain a drivers license, you can do it. You should do it. Any reasonable criteria for a person to obtain a drivers license. But you should not involve the medical community of this state in the issuance of drivers licenses. It's an inappropriate activity. It would be, in my judgement, an unethical activity even if we release them from the statutory obligation. I think that their personal ethics would preclude them from notifying the Department of the State of Nebraska, or a Federal government of the nature of the condition or treatment that their patients are receiving. I think it's a historical document that that is a highly confidential relationship between a physician and his doctor. I don't think that the justification is presented to violate that historical document . . . doctrine. So there was no misrepresentation of that fact. That is the fact. There is a privileged communication there. This bill would destroy it. It should remain dead.

PRESIDENT: Senator Dickinson. Senator Barnett.

SENATOR BARNETT: I'd like to ask Senator Cavanaugh to yield to a couple questions, if he would please. Senator Cavanaugh, you made it convincing the other day, but since that time I've had a couple doctors call me. I did listen to your remarks this morning. I'd like to ask you if you could help in this area. I'd like to know how you suggest we get a person that has fainting spells, how they have weak heart trouble, how they have tunnel vision and can't see intersections, all they can see is straight ahead, how would you suggest that we write this? Senator Kelly did say that Senator Kremer was going to offer an amendment that would allow the patient to know this report was going to be sent in. How else could we do it to try and take these people off the roads that do have problems and create accidents?

SENATOR CAVANAUGH: You can set up any criteria . . . any health criteria you want to upon application to a license. As I've indicated to Mr. Sullivan and at the committee, I think that the appropriate kind of legislation, if you want a continuing thing, is to place the obligation on the person who has the license. Make it a criminal penalty if he fails to disclose any change in his physical condition which would relate to his driving. You can do all kinds of variety of things like that. What I'm saying is the relationship is between the individual who seeks the license in the State of Nebraska. It is not a relationship between that individual who seeks a drivers license and his physician, or his attorney, or his minister, or anybody else.