

January 30, 1992 LB 671

better, I'd urge you either to vote against it or just do not vote for it. I think we cover the issue of conscience in the bill.

PRESIDENT MOUL: Thank you, Senator Landis. Does anyone else wish to address this amendment? Seeing none, do you have closing, Senator Lindsay?

SENATOR LINDSAY: Yes, a little bit in response, Madam President, in response to Senator Landis. Let's go back to the bill and go to the language. It puts an affirmative duty, I think this I set forth in my opening, it puts an affirmative duty on the physician to make that transfer. If the physician or if the health care provider is unwilling to comply, they must transfer. Now the problem...this is not a problem, I don't think it's going to be a big problem in Omaha because you're not talking about a big expense, and I don't know, maybe it's not a big concern in some of the rural areas, but if you're in a rural hospital, in a one-doctor town, I can see where there might be some expense involved. But if we reduce that and take away just the question of expense and just go back to the issue of which expense...I should back up, which expense is borne by the physician or borne by the hospital. That expense is not borne by the declarant who wants this treatment given. If we go back to a hospital in Omaha, if there is a hospital in Omaha that has a policy against, that might be violated, that hospital might just have to transfer the person across the street or two or three blocks down the road in some situations. My district has four or five hospitals in it, so it's not a big deal as far as cost involved. But if we break that down to where there is a moral violation and you consider this yourself on any other something that may bother you conscience wise, if you are paying for the cost of transferring that person even if it's a minor amount, if you are paying for that cost, are you assisting in something that violates your conscience? And even though it may be something that is required by law, you are still doing that. Even though it may be a minimal amount, you are still doing what is required. There is a difference between standing in the way and blocking something and stepping up and assisting in doing something. And I suggest to you that this is, that this amendment moves it back from just not prohibiting it, just not interfering with that transfer and I don't have any objection to that. It's in LB 696 the same thing, that we should not be allowed to block any transfer to somebody who will do that. I do have an objection to requiring somebody to violate their own