

presently is the case, any sort of...there are likely to have been malpractice suits filed against optometrists if they would abuse any sort of prescription of oral drugs, just like any other thing they now do, they'd be subject to those same laws.

SENATOR ABOUD: How would you feel about an amendment on your bill that would further define that, if there were some dispute in the statute right now when it comes to optometrists as far as where they fit in the entire chain of malpractice lawsuits?

SENATOR MOORE: I'd prefer to put that on a Judiciary Committee bill myself, (laughter), only because if we're dealing with health care. I mean,...

SENATOR ABOUD: Sure.

SENATOR MOORE: ...I was unaware of the problem, Senator.

SENATOR ABOUD: Well, if there was, I am just saying, let's say it is brought to your attention, would you feel comfortable with putting standards in that would ensure that the citizens of this state would have an adequate redress for injuries that occurred as a result of optometrists performing acts that were authorized by the State of Nebraska?

SENATOR MOORE: What you are saying on face value seems to be agreeable, but not seeing it in writing and what exactly you are talking about, I am not about to commit to it here on the floor.

SENATOR ABOUD: Okay, that's fair enough. Now, Senator Wesely, do you want to go ahead?

SPEAKER BAACK: Senator Wesely.

SENATOR WESELY: Yes, I talked to Senator Aboud to help answer some of your questions, that currently, as you know, physicians are under caps on how much they can be liable for for malpractice, and then they are under a pool that helps pay for that malpractice. Optometrists have no caps on their malpractice, so they are actually more vulnerable than a physician, and also they don't have the pool arrangement that they are participating in.

SPEAKER BAACK: One minute.