

indicate why. Now again, referring to page 551 and 552 of the Legislative Record, or the Journal rather, where we have reproduced Judge Urbom's opinion, why he addresses the kind of concerns we are talking about here. He says, and I quote beginning on the last sentence at the bottom of page 551, "Now I am aware that the statute does not require the listing of the names of the women who have had abortions, but," he says, "but it requires the listing of many other things which may, at least in many counties in Nebraska, identify the person very nicely," and for that reason a significant and important constitutional question is raised. Now if all of these statistical record forms are made public, why it will have the same effect that Judge Urbom is so concerned about. The effect, "at least in many counties in Nebraska of identifying the person very nicely." So for those two reasons, for Judge Urbom's language and for the reasons raised by Senator Dworak, I would urge all of you to oppose these amendments. Thank you for your attention.

SPEAKER MARVEL: The Chair recognizes Senator Johnson.

SENATOR JOHNSON: Mr. Speaker, members of this body, I would like to just made a couple of quick remarks. Senator Cope asked a good question and that is whether or not surgical procedures that are performed in a hospital are required to be reported to the Department of Health and then whether such reports are open public records. I don't happen to have a specific answer to Senator Cope's question, however, I took the last ten minutes to quick like go through our Public Health statutes which I had on my desk and I cannot find in the Public Health statutes such a reporting requirement. On the other hand, I do note in the Public Health statutes a reporting requirement for laboratories that determine that an individual happens to be carrying venereal disease. It specifically says if an individual has venereal disease, then that laboratory is to make a report to the Department of Health but then the statute goes on to specifically state that report is to be a confidential report. It is not to be disseminated to the public, so it is very clear at least that in that instance the Legislature has concluded that in one kind of a case, to wit, the venereal disease case, a report is to be provided to the Department of Health but secondly it is also concluded that that report is to be confidential. Now as an attorney I have had occasion to examine hospital medical records on patients and in examining those medical records on patients I have never found in the medical records, a report to the State of Nebraska, never. I have