

April 18, 1979

LB 172

elimination of nursing home transfers when the nursing home transfer doesn't add new beds nor new services. We are in complete compliance, in the committee amendments, with what is coming in the Senate and the House versions and both of those bills were right up in the same form up to ready for passage last session. They adjourned without passing them. They are now putting them back up to that same position again. 1122 then is going to be wiped out by virtue of those two Congressional bills. As far as the doctors offices are concerned, we left them out of the...we exempted them from certificate of need except for the acquisition of equipment that had been applied for by a hospital. We said, no, you can't acquire any equipment if you are doing a devious way of acquiring something for a hospital. We, as I mentioned, eliminated nursing homes that just transfer, an arm sling transaction type of thing, because the feds are going to do it anyhow so why should we go beyond what is necessary and it is not necessary according to the federal guidelines. We created an appeal board of nine persons. Of those nine persons, five will hear all the cases. It will be consumer dominated in every single case, three consumers and two providers on the appeal board. What we have done was we tightened up the time constraints. We have said that the health planning people must make their decision in ninety days. We are already going to offer two more amendments, one of which is to provide a sixty day extension of that ninety days if it is agreed to by both sides. The feds have approved that form of that amendment, and let's be careful how we adopt that because the feds have to approve it or we will be out of compliance. We have consulted with them by phone twice today. We eliminated the home health agencies out of the green copy, for example. The pocket veto is what, if the Health Department does not act, it is automatically denied. We are going to bow and we have another amendment very carefully drafted again that we are going to offer for that but those two things are the only things that we have to adopt to be in complete compliance with the exception of LB 171 which is in the Health Committee and will be coming out because there is no opposition in the Health Committee to that bill. It is just that there is three pages of amendments to it and we didn't have time to orientate or to coordinate those amendments and get the bill in a proper form. When we get that done, we will bring it out and that will meet the construction requirements that are called for in both our form of the bill and the Hoagland group form of the amendment. The reason, for example, we did not put the construction crew that is necessary as far as meeting the federal guidelines is concerned, it is not a certificate of need requirement, it is a national