

April 27, 1979

LB 382

be willing to let the amendment ride and perhaps look into it a little closer as we move it along, if we can move it along, but that is one of my concerns. It doesn't do much good to pass the bill unless the stuff is available and I am a little afraid that some of the restrictions might be so tough that we couldn't get it into the state after we pass the bill. I hope that is not true. Thank you.

SPEAKER MARVEL: Senator Pirsch, do you wish to speak to the Wesely amendment? Senator Clark, do you wish to speak to the Wesely amendments?

SENATOR CLARK: I would like to ask Senator Johnson a question about it.

SENATOR JOHNSON: Sure.

SENATOR CLARK: Are there any drugs now, Senator Johnson, that the hospitals do not administer?

SENATOR JOHNSON: I don't know, Senator Clark. I really do not know that.

SENATOR CLARK: Well, being that they do not prescribe at all, hospitals do not prescribe drugs, only doctors prescribe it, the way I read this particular amendment is that they cannot refuse to administer the drug if the physician prescribes it. Now I have no reason to try to regulate the physicians. Do you suppose that if a doctor prescribed drugs for me that they would refuse to give it, penicillin, for instance, that they would refuse to give it on what grounds? I know if they give it I will go into an anaphylactic shock but still they would give it to me, right?

SENATOR JOHNSON: Yes, I am certain that they would.

SENATOR CLARK: Yes, but I am allergic to it, you know, so they wouldn't do it. I am certain they wouldn't do it as long as I am capable of telling them that but if I was not capable of telling them they would. I can't see why you would want to restrict the hospital and say, you don't have to do it, you know, if the physician prescribed it.

SENATOR JOHNSON: Yes. I was just looking at section 6 and it just says simply that they can't, that no hospital, clinic, nursing home or other health care facility may restrict or forbid the use of or refuse to administer this particular drug when it has been prescribed.