

show some individuals in here what I am talking about and it will be patently clear. We need the immunity, that's the essence of the statute because the insurance company has to have a basis for getting that information to the regulatory agency, the licensing agency, and there is every protection afforded in there possible in the legislation. In fact, they don't even care about the names of the individuals, the insurance company doesn't. They could submit it with all the names crossed out if necessary to prove my point.

SENATOR CLARK: You have one minute left.

SENATOR DeCAMP: What they care about is a ruling from the licensure agency, the regulatory agency of the state, as to whether this is a practice within the scope of that license and whether they have to pay for it. And once you get a bunch of these corrected then it is going to impact millions. As I say, there are millions documented for one single insurance company in this state of false claims. I urge you to advance the bill as it is.

SENATOR CLARK: Senator Cullan, did you have anything further to add on that?

SENATOR CULLAN: Well, Mr. President, Senator DeCamp...I respectfully request that you rethink your response. What I was asking specifically was why an insurance industry has to have immunity from civil actions and from criminal actions? Now you told me what the purpose of the reporting is but all they have to do to determine whether an act is within or without the scope of practice is to read the statute and I am sure that they can write any of the examining boards in the Department of Health and find out in a hypothetical case whether a specific act is or is not within the scope of practice. And I don't see that patient confidentiality has anything to do with that and I certainly see no act that the insurance company can take that would subject them in the set of circumstances you described us to that would subject them at all to any criminal or civil liability. So my question again, Senator DeCamp, is for you to try and tell me what specifically the insurance industry needs immunity from? They can obtain the information that you have just said that they need without mentioning any patients names. It has nothing to do with patient-client relationship and so I guess I just don't see a need for any immunity and I am not trying to obstruct your bill, Senator DeCamp. I simply want to know why we're trying to provide protection for the insurance company and what we're trying to protect them from.

SENATOR CLARK: We are now working on Senator DeCamp's time.