

and were not answered. Why do they need it? Why do they need this special privilege, this immunity? I have a hunch that this is going to be another one of those cost cutting schemes like medical malpractice. It isn't going to cut the cost but it is going to cause some problems, some serious problems and that is just fine until you are the person that is injured and then when you want a legal remedy, when you want to be made whole as a result of that injury, you are stopped from taking any action. I'm not going to give up my rights.

SENATOR CLARK: Senator Hoagland.

SENATOR HOAGLAND: Mr. President, colleagues, I'd like to rise in opposition to Senator Dworak's amendment and I think it needs to be said, first of all, that....

SENATOR CLARK: I don't think Senator Dworak has an amendment.

SENATOR HOAGLAND: Isn't he moving to strike Section 8 of the bill?

SENATOR CLARK: No. We have no amendment to that effect.

SENATOR HOAGLAND: Let me simply rise in support of this particular bill then. I was going to say that Senator Dworak's amendment would gut the bill but evidently he is not going to try to strike Section 8. Is that right? Okay. Well I think it is clear that this sort of bill is needed to enable the insurers to report known violations to competent state authorities and then take action if they feel action is warranted. I don't foresee the due process violation here in the rights of the physicians who may be accused by an organization like Blue Cross/Blue Shield of overcharging on bills or whatever. They will have an adequate time to defend themselves against those charges later but the problem we have right now is without insuring that Blue Cross/Blue Shield is not going to be sued every time it reports a doctor. We're going to get no reports out of Blue Cross/Blue Shield at all and the abuses are going to continue. Now under current law if any of us feel that a crime is being committed we can go down to the police department and report it and then the police and the prosecutors decide whether to proceed. Now right now organizations like Blue Cross/Blue Shield can't with impunity report every violation they think may be taking place of the laws that protect us against overcharging physicians because if they do they can get slapped with a lawsuit, number one, from the physician and, number two, from the patient whose care is involved in the report and I think the companies