

Health systems agencies have specific responsibilities in current certificate of need law. This bill eliminates the roles of the health systems agencies. Those agencies will cease to exist this year anyway and it is appropriate for us to use this opportunity to eliminate the role of the health systems agencies. The Legislature could continue them but at a cost of \$1.5 million to \$2 million a year. I think that cost is not warranted and that is why I put this proposal before the Legislature. The second major change is in the area of threshold as to what triggers the certificate of need review. We have changed three thresholds. We have lowered one to \$600,000 for capital expenditures. Senator Marsh and I will cosponsor an amendment after Senator Wesely is finished with his amendments to lower that to \$500,000. We have changed the threshold in the area of operating expenditures to meet the new federal guidelines, up to \$250,000 in operating expenditures. And finally we have changed the way the certificate of need affects doctors offices, those pieces of equipment which cost more than \$400,000 will be subject to review under the certificate of need.

SENATOR CLARK: You have one minute left, Senator Cullan.

SENATOR CULLAN: We have also made changes as far as the decision making portion of the certificate of need process is concerned. Again under the current proposal, the Department of Health makes those decisions. Under our proposal a citizen panel comprised of four consumers and three providers would make those decisions. And the last major change relates to nursing homes. Under the initial draft of LB 378 nursing home transfers would not have been subject to certificate of need review. Under the current draft nursing home transfer is subject to certificate of need review. I will be happy to address other concerns later. I believe that Senator Wesely's attempt to defeat this legislation should be defeated. My time is out so I will probably speak again before we take a vote.

SENATOR CLARK: Senator Marsh.

SENATOR MARSH: Mr. Chairman and members of the Legislature, I rise to oppose the kill motion. I was one of those who did attend the briefing this morning related to certificate of need. I would guess that all of you were invited. I am cosponsoring an amendment which Senator Cullan has stated that he will attempt to put on LB 378. I think it is a reasonable compromise. This Legislature has a responsibility for the writing in the decision making process. Yes, we need to listen to those who also have an interest and concern