

for the state and they have the law to follow which we have in this case and they are accountable and they are able to make the decisions that are necessary. Now again what Senator Cullan is trying to do is set up a diversional way and it sounds great, have the Health Department on the consumers' side and have the provider on the providers' side and then let the citizen decide what to do. Well, again the examples in the past have all indicated that the decision that will be made will be in favor of the provider because the information is so overwhelming and the pressures are so great from the providers' side, just as they are here in this body, that the decisions almost always go with the provider. So what they have done is made it a lot easier to get through their projects and a lot tougher for the Health Department to stop them. That is really the bottom line of the whole issue. And what is more obnoxious about this proposal that is in the bill as I said before is that if the Health Department should win for some unforeseen reason and the health provider lose, then they have a chance to appeal to this appeal board and yet beyond that appeal to the courts and have two more shots at trying to get through their project. Whereas if the Health Department loses with the review committee, that is it. They don't have any appeal authority and the review committee makes the decisions for the Department. So it seems quite unfair that the Health Department isn't given the same access to appeals that the providers are and that they have to go before this committee which I think will be dominated by the providers and essentially this is probably the worst thing about the bill because it guts what I think is some courageous decisions on the part of the Health Department in the past to turn down different applications. It hasn't been easy to do that. Now let's talk a bit about the Health Department because they are now under the Governor and we fought that issue last year. What Senator Cullan is doing is indicating by moving this committee in and taking over that authority that he is not comfortable still with the Health Department despite the fact that he won last year the effort to get that under the Governor, that he says all those arguments that were given last year for putting the Health Department under the Governor to make it accountable and make it responsible are not really valid arguments because he is saying they are still not accountable or responsible we want to give this separate committee the authority. I think it runs absolutely counter to what was portrayed in last year's bill and it runs counter to what they are trying to do now in this Government Task Force reorganization. The Governor has talked about all these darn independent committees making all these decisions for them that, you know, that