

I think in a number of circumstances. The next element in this loophole amendment deals with the question of combined reviews. Right now we say that combined reviews should take place a couple times a year. What we are talking about is let's say a new...again we will use the question of home health services, a company wants to come in and put in home health services for the City of Lincoln, let's say, and they make an application. Well, the Health Department knows other people are interested in home health services so they open up a combined review in which by say July 1 of this year everybody who wants to start up home health services for this particular area can submit a CON application and then they sit down and they compare the different applications and they can make the choice of which one is in the best interest of the public or the best interest of the consumer. Well, under what Senator Cullan has in this bill, they would have to have these combined reviews six times a year but the process takes longer than the sixty days that would be allowed between these combined reviews, and virtually eliminate the chance for the combined review concept to come in and give a competition between those who want to provide new services or additional services so that they can compare different proposals that deal with virtually the same area. That is another example of what doesn't look to be very serious but which in the end could be a very large loophole. The next thing deals with conditions and it would restrict limitations on conditions that would be allowed on large projects. What Senator Cullan would have would be that the department could approve or deny a project proposal but they could not establish conditions on that project. Taking as an example is the Bryan Hospital proposal which was a multimillion dollar, I think almost a \$50 million project. Well after it went through the process, Bryan said we can do this and this and that to get this project through without keeping costs...well, without letting costs go up. And so the Health Department took them at their word and put conditions on their approval that said, you said you can do this, this and that, okay, this, this and that are included in your application approval, and if you can't meet these conditions, then you have to come back to us and again go through a review because you said you can do it, we are going to take you at your word and we are going to say, if you can do it, then you can go ahead with the project. Well, we all know that some of their claims were somewhat questionable especially with the bonding limits that they talked about, and so those conditions were not able to be met and the project is still being considered and is now back for changes in those conditions. The point of this is that the Health Department was able to approve if these conditions can be met, and that action would be taken