

away by Senator Cullan's amendment to this bill that are now approved. And then finally another loophole that they have in here is that if you buy equipment or capital expenditure and use it for research purposes, you don't have to be reviewed by the CON. So what is to stop a physician's office or a hospital or what have you from purchasing a new CAT scanner and say it is going to be for research purposes and that is going to be about it and they don't have to go through the process. It is another example of a wording change that probably could be worked out if we had a chance to work on it with the bill but which under its present form could be used as a loophole to get through projects that could not otherwise be approved. Again what I have tried to do is find four or five things that point out the loopholes in this bill that may not be obvious to the guy on the street looking at this legislation, but if you look at it carefully, they are major provisions that could really weaken the law again further hurting our chances to keep health care costs down.

SENATOR CLARK: Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature, I oppose Senator Wesely's package of amendments. I am a little concerned when Senator Marvel called Senator Wesely and I into his office and was concerned about 25 amendments hanging there. He said, can't you offer a few substantive things that you believe need to be changed, and, you know, can't you offer fewer...five or six amendments? And Senator Wesely said, well, yes, I can offer five on General File and then five on Select File and we won't tie up the process with a ton of amendments. Well, what really happened is Senator Wesely took most of his 25 proposals that he threw up there last week to delay the process, shoved them into 5 motions, and it is very difficult for me to even address the 7 or 8 different items that Senator Wesely has included in this package. I would be happy to talk about one that I don't believe Senator Wesely did mention that I did notice is in his package of amendments, and that is one on quality of care. Right now the State of Nebraska licenses hospitals, nursing homes, intermediate care facilities, and so on, through a very comprehensive, very detailed licensure code and if you want to dig out your statutes you can read much of the authority, the rules and regulations that apply to licensing health care facilities in the State of Nebraska. Well, one of the amendments that Senator Wesely didn't mention, he is striking an amendment that I placed in the bill that says that the Department of Health has to respect that as assuring quality of care, and I think that if we don't do that we are going to have the certificate of need