

March 1, 1982

LB 378

made in a neutral form where individuals who are not biased to one extreme or the other listen to presentations both for and against the Certificate of Need application. Any interested individual, and that is a very broadly defined term which basically is any health care consumer, health care provider, or anyone else can make a presentation on this Certificate of Need application before this impartial panel. The panel will then weigh the evidence and look at it and determine whether or not the Certificate of Need application should be approved or should not be approved. They will do this after they have had the opportunity to receive the recommendation from the Department of Health and the Department of Health will make a presentation before this panel outlining their recommendations and the justification for it. Amendments which I will propose shortly, including the technical amendments which I promised on General File will ensure that the panel is indeed consumer dominated by eliminating the requirement that there be a physician, a hospital administrator, a nursing home administrator on the Certificate of Need review panel. That I think is a beneficial change. I think that this will also make the Department of Health do a better job in processing applications because it will make them...they will take the recommendation which they have reached and they will present it publicly and they will have to justify it publicly, and when they do that in a persuasive manner, I think they are going to be more effective and I think they will do a better job in reaching the recommendations which they have. The ultimate issue I think is this, are we going to have bureaucrats, individuals employed by the State of Nebraska who write health plans make decisions or are we going to have citizens and consumers who pay bills, who pay taxes and who use health care facilities make the decision? I personally support having consumers and citizens make the decision rather than hired bureaucrats. And that I think is the ultimate issue. I think that is going to make the process work better, not worse. The other point I would make, and this is one of the major justifications for the review panel versus the Department of Health, is that the health system agency has been eliminated. They have been eliminated and the voice of local consumers is not as effective in the Certificate of Need process in the future as it has been in the past. The alternative to eliminating the health systems agency is to pick them up at a cost of at least a million dollars to the State of Nebraska. That I think is more than we can afford to spend in the Certificate of Need process. And so we have ensured that we have consumers at this level and we have required one to be from each Congressional District so that there is some input from all parts of the state in the Certificate of Need process and this is a substitute partially for the role that the health systems agencies once played. So with that I would

8110