

the hospital, for instance, they can do some of these...or the home health services with the hospital they can do some of these things. The Department on Aging does some of these things but the department does not...or of Aging does not do these things directly, they contract for these kinds of services. And you remember that I had a bill that was finally passed last year, my care management bill which will allow for the provisions of these kinds of services after the assessment process takes place and that sort of thing. Do you...in your definition of what the bill contains, would they be able to contract or are they providing these services directly?

SENATOR LYNCH: It is my understanding, first of all, that nothing could happen probably until after the second year. First of all, secondly, this legislation does not provide the ability for these agencies of state government to contract with anybody.

SENATOR SMITH: So they can't contract to provide...

SENATOR LYNCH: No, they cannot contract.

SENATOR SMITH: How would...this would not then impact favorably as far as the care management bill where we have a concern in the rural areas for the lack of services that are available and that the area agencies on aging have the lead role...

SENATOR LYNCH: Uh-huh.

SENATOR SMITH: ...as designated by federal to provide those kinds of services or to contract to provide those kinds of services. I...you know, we talk about we don't...the fact that we don't want to see duplication here but if these people can't contract to provide this, then I'm not sure how this is going to help in any way when, for instance, the care management bill last year talked about the requirement to get services starts out with an assessment. And you do need to use a nurse as a part of that assessment team and that's why I thought this, on the surface, looked very good. But if they can't use these people, then what we're doing, I think, is setting up a separate layer of duplication here.

SENATOR LYNCH: First of all, I would stand corrected. Under some circumstances where a plan would determine there was an unmet need this would provide in areas where special education