

SENATOR WESELY: Thank you. Mr. Speaker, members, this amendment is very similar to the last amendment and obviously I am disappointed that we weren't able to do better than the nine who voted in favor of the amendment. Of course, I understand the circumstance that you're in, but let me tell you again the problems that you have by opening up the idea of any new service and these new equipment and not having review unless they meet those thresholds that are raised so dramatically in this bill. In addition, I have some news to report to you that the Medical Center has just been through a CON review and has been turned down by the CON Review Committee on a 4-3 vote. It points out once again how important it is to have an outside review, whether you're talking about a 40 or \$50 million project as in the case of the Medical Center or a four or \$500,000 project in the case of some of these new services or a 40 or \$50,000 project in the case of some of these as well. You've got to have somebody independently taking a look at these issues and then understanding the ramifications of them, the cost implications and the quality implications, an independent review, an independent examination of what is best for the state, what is best for the public, what is best for the general citizenry is what we need to have. The system we have in place is inadequate. It has not worked appropriately. The original bill we had in 1979 I think would have worked much better. We've had, since 1981, a fractured system and one that I have been disappointed in as much as you have. But we have a way and a means to improve that system right now, but one of the worst things we can do is make the change that is proposed by not including the list that I think is important and fundamental. In addition to the Medical Center decision that has just been announced, you know, about the Bergan Mercy case, that will be determined next week and Bergan Mercy obviously is very much behind this legislation and wants to see the Legislature make the determination of whether or not they should be allowed to provide for open-heart surgery. Again, are we the body to make that decision? Are we the people competent to understand its implications for the other hospitals, for the citizens, to understand what is best in terms of quality and cost in the area of open-heart surgery? And my answer is, no, I don't think we're the right people to make that decision as we were not the right people to make the decision on the Medical Center as to its appropriateness. And so, again, I emphasize to you that having an outside review process plays a role, serves a function and has to be maintained. But what we've tried to do here under this bill I think is reasonable up to the point of the list and