

of an HMO recently that we went through here, in Lincoln, our HMO. Those sales are under review by the Department of Insurance. So the Department of Insurance is already overseeing HMO's as sort of a quasi insurance company, so there is no reason for them to be under CON review. So this would take out the sale of an HMO from review, but still maintain the HMO's under review for other CON activity. I think, hopefully, Senator Baack can agree to the amendment. It's really nothing more than clarification of where we're at, I think, in today's policy. So I'd move the adoption of that amendment.

SPEAKER BARRETT: Thank you. Discussion. Senator Baack.

SENATOR BAACK: Yes, Mr. Speaker and colleagues. I do agree with the amendment. I don't see any problem with that, it probably was just an omission in the bill, so I do agree to it. Thank you.

SPEAKER BARRETT: Any other discussion? If not, those in favor of the Wesely amendment please vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Senator Wesely's amendment.

SPEAKER BARRETT: The amendment is adopted.

CLERK: Mr. President, the next amendment I have is by Senator Lindsay. Senator, this is your amendment on page 1890 of the Journal.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. President and colleagues. This amendment would simply...it's a very short amendment, very simple amendment. What it would do is place back into the CON process open heart surgery. Under the amendment or with the passage of the amendment the open heart surgery would still require a certificate of need. The reason I offered this amendment was that one of the issues that has come up, we've read it in the papers, we've heard about it on the floor, we've heard about it in the lobby, is the question of a hospital in Omaha attempting to get into the open heart surgery field. And that...that that hospital getting into that field would result in detriment to another hospital in Omaha. The hospital that is