

at St. Joe's, which is a teaching hospital, it's going to result in a reduction of their exposure to this type of surgery and their ability to teach their students. I brought the amendment because we've got several amendments that have come up on General File and Select File, none of which I think really went to the heart of the issue, or I shouldn't say the heart of the issue, because there is a good question on CON, I don't mean to get around that. But one of the big issues has been the open heart surgery. The trust of the amendment, the intent of the amendment, the effect of the amendment is simply to put that issue out before the body so that that issue can be debated. With that, I would urge the adoption of the amendment.

PRESIDENT NICHOL PRESIDING

PRESIDENT: Senator Labeledz, please.

SENATOR LABEDZ: Thank you, Mr. President. I wish to speak in support of LB 429, but at this moment I'm speaking against Senator Lindsay's amendment. It certainly does bother me that we have two Catholic hospitals on opposite sides of this issue. And I can understand Senator Lindsay, the St. Joseph Hospital is in his district, and Bergan Mercy is not in my district, but I feel that what I will speak to you about now is the right thing to do. As I've told you before, I've been interested in the certificate of need for some time and have previously introduced bills dealing with this subject. Senator Lindsay's amendment is directly at strictly Bergan Mercy and any other hospital that can meet the thresholds for open heart surgery that is now in LB 429. LB 429 is a bill which comprehensively addresses the present day need of most segments of the health care industry and still maintains a more reasonable and less time consuming CON process. I still see LB 429 is carrying out the original intent of the certificate of need law, but we certainly do have to update and streamline our procedures to permit the Nebraska health care providers to keep up with the change available in technology and procedures. In keeping with this thought, I wish to point out that the testimony of one member of the appeal panel, and I believe Senator Lindsay mentioned the fact that Bergan Mercy was denied their appeal on a vote of three to two against the proposal. And in this case to permit it, and in this case it was to permit open heart surgery. Let me quote one of the members, what they said, that voted against the open heart surgery. The original intent of certificate of need, when it was set in motion, the intent was to contain costs by