

May 19, 1989

LB 44, 187A

responsibilities. It does address, in fact, along with LB 44, the problem of maintaining medically incompetent people who are standing trial or waiting to stand trial, and, of course, prisoner medical costs. Douglas County is maybe at an advantage, they can afford it more than some. Douglas County, in fact, traditionally has paid for most of their own, where other counties who have access to state institutions have had the advantage of being able to send folks to those institutions for the same kind of care at state expense. I'm not suggesting this is an urban and rural problem and that we're being mistreated at all. All I'm saying is that across the state there are even greater Nebraska counties trying to cope with this problem. For example, if you're a smaller Nebraska county, and a district judge, a state judge says you shall hold a medically incompetent person until trial, and you're talking in some cases in acute care psychiatric facility, three or four hundred dollars a day, and the trial don't take place for two or three or four months, or is postponed five or six times. That's a problem and it has been traditionally, and is, in fact, a problem for many of those counties. Those are the kinds of problems, that's the kind of people that this amendment would try to serve. Though it would not go into effect until the second year, the cap still remains, we can spend no more than what the bill...original bill provided for. I can't address, because I'm not a lawyer, the constitutionality of all of this. But given the time restraints we have it seemed like this was the only vehicle we had left on this particular day before the session to address this issue and the related costs and offer this compromise to all of you. I'd simply like to suggest that for those of you that may understand...

SPEAKER BARRETT: Thirty seconds.

SENATOR LYNCH: ...and think we should at the same time we provide just matching dollars with federal dollars to take care of some Medicaid problems, we still will not resolve and help the people that could be served by this legislation. And I would ask for your support.

SPEAKER BARRETT: Thank you. You've heard the closing, and the question is the return of the bill to Select File. All in favor vote aye, opposed nay. Shall the bill be returned? Senator Lynch.

SENATOR LYNCH: Mr. Chairman, I can continue to talk until I