

January 30, 1992 LB 671

PRESIDENT MOUL: Thank you, Senator Landis. Senator Crosby.

SENATOR CROSBY: Thank you, Madam President and members. I just have a couple questions. Senator Lindsay, could you help me out just a little. If you'd yield and...

SENATOR LINDSAY: Yes.

SENATOR CROSBY: I'm getting a little concerned, I like your amendment. I'm going to vote for the amendment, but as I keep reading through all the amendments and the bill itself I'm getting a little concerned about whether or not putting this into the statute is going to...What if I don't want a living will? I guess that's what I'm worried about is that some doctor, or someone I don't know is going to make a decision. And it...Senator Landis said something a little while ago about families having...ultimately the family or the doctor in concert have to make a decision even without this. Does this...is this whole thing strengthening this feeling that I have that I'm going to have to have a living will even if I don't want one? This conc...as I read all these amendments and everything I'm getting a little more concerned in that way.

SENATOR LINDSAY: Well, I guess I would say some of that goes to the bill itself. And, conceptually, I tried to argue that at first reading. But I think there are provisions in the bill that some of that, for example, a physician, health provider, insurance company would be prohibited from requiring a living will as a condition of treatment or increasing insurance premiums, that type of thing.

SENATOR CROSBY: Yeah, okay.

SENATOR LINDSAY: The...so I...to that extent I don't believe so. But as far as this amendment goes, it would allow notification of the family. I...I've got a problem, conceptually, with living will because I think it basically, as Senator Beutler mentioned at first reading, it basically gives power of attorney to whoever the attending physician might be.

SENATOR CROSBY: Yeah, yeah, and then...and as I said before, the people who originally...originally when people starting talking to me about the living wills one of the reasons they wanted a living will is because someone in their family had had