

of such physician, nurse or hospital applicable at the time services are performed. Performed is the word that follows. My question is how do we, if that doctor or that hospital charges this all the time, how do you get to usual and customary except for whatever they've charged all the way along? If there's no comparison to anyone else, if it is specific, as Senator Wesely says it is and as I read it again he's absolutely right, if I'm sending that same bill out all the time how does this change my practice or allow for you to be able to do what you spoke of with regard to the MRI example when you compare your charge of 1,300 dollars to the standard out there of 900 in other areas? How will we solve that problem?

SENATOR MATZKE: I think what we're really trying to address here is the jacked up bill where hospitals know they're going... they're not going to collect every charge for trauma because some people who are injured do not have insurance,...

SENATOR CROSBY: One minute.

SENATOR MATZKE: ..some of them are negligent and never recover anything. So I think the statistics and the testimony before our committee was they're lucky to recover about 75, 70, 75 percent of their charges in a trauma center so the...

SENATOR HALL: So the example would be, the example would be that you've got the... a 900 dollar MRI at the hospital that you go to, the family member goes to. When you get the bill that same hospital sends you a bill for 1,300. Under this provision, you come back and say, no, now wait a minute, usual and customary it's 900, I should be charged 900 dollars for purposes of this act with the adoption of your amendment. Is that is?

SENATOR MATZKE: Yes.

SENATOR HALL: Okay. As long as it's clear in the record that the purpose behind this is to somehow try to reduce or, at a minimum, keep the figures that we're dealing with here, the charges that we're dealing with here at the lowest possible level. I can support that amendment, but I want to make sure that's clear for the record if that's what the intent is. Thank you, Madam President.

SENATOR CROSBY: Time. Senator Wesely on the Matzke amendment.