

isn't usual and customary charges as a term of art, terms of medical records, interrogatories, depositions, expert testimony, but I think reasonable does work in this instance and we're ready to be reasonable. On the medical records side of it, Senator Coordsen has a bill before the committee dealing with medical records and charges and we will be looking at that issue in the future, but that is of concern and... and I... again, the proponents of the bill have agreed to the language here and are in support of the amendment. The thing I want to note for you is what we're talking about in terms of reasonable. My thought on that would be that the court would have to make that determination. Of course, everybody would look at it perhaps differently, but they would probably look at it in terms of the geographic area. What may be a reasonable charge in Omaha would probably not be reasonable in David City or somewhere else, Lincoln, Scottsbluff, wherever. It will depend on the circumstance. So, first off, there would be a geographic sort of boundary on the issue of what would be reasonable and then I think obviously the next thing would be just a certain sense of what's out of line. When somebody comes in and an expert witness wants a thousand dollars an hour, which we've been told some... some do, I would think that would send up some red flags and concern that... whether or not that's reasonable, and we have been concerned about that as well. So, obviously, everybody wants to be as cooperative as possible and we can't do things for nothing and we have to cover the costs involved, but I think unreasonable charges far and above what normally would be charged or reasonably be charged in that community doesn't make sense and so we... we do rise in support of the amendment and I'd be happy to answer any questions as well.

SENATOR CROSBY: Thank you, Senator Wesely. Senator Wesely, your list was on. Did you want to...? Thank you. Further discussion on the Lindsay amendment. Senator Will.

SENATOR WILL: Thank you, Madam President, members of the body. Senator Lindsay, would you respond to a couple questions? I just wanted to...

SENATOR CROSBY: Senator Lindsay?

SENATOR LINDSAY: Yes.

SENATOR WILL: ..I wanted to clarify something that I think... I think Senator Wesely made this point, but I'd like to make it