

directing his own health care.

PRESIDENT ROBAK: Thank you Senator Schrock. Senator Wesely, you have three minutes and 45 seconds.

SENATOR WESELY: Thank you, Madam President, and members, this amendment is something we've been working on for several weeks to try and accommodate a number of concerns. At the hearing we had on the bill, Tim Kolb did come forward and expressed the desire to have the chance to stay in his own home. The Department of Social Services was objecting and cited an unclarity in the law as to allowing for these caregivers clearly the opportunity to perform this service. Let me tell you it is not a high tech, high level type of service we're talking about. It's merely cleaning out a tube that he has to use because of his condition and he is quite capable and competent as an individual to oversee that, to know whether it's being done properly or not. So this amendment is one that we worked with the Health Department on and with the Nursing Home Association on and, in my view, does not diminish any quality of care, but because of the concerns that the nursing homes have, we do put a two-year sunset on this so that we can monitor it and reevaluate it in two years time. In my view, it clearly is the direction we need to take. Individuals being institutionalized is more costly. It's not what they want and, in my view, if they want to stay in their own home and it's lower cost and it is not hurting in terms of quality care, we ought to do it. The E clause is added so that we can deal with this quickly. And also in terms of...I want to note for the record that we take out the word "empowerment" from the bill and change it and clarify that a licensed nurse can delegate authority to unlicensed individuals, and I want to clarify that nowhere in the bill or with this amendment do we take away any current ability to perform any service that's now being done. We are not trying to take away any type of current level of care that's allowed by caregivers under the Nurse Practice Act. We are simply trying to clarify the situation. And so there are some concerns in the nursing homes that we may take away some of their authority that they now have. That's not the intent. They feel confident that that's the situation in terms of what I am saying now and what the Director of Health has been saying. We will do a follow-up to further clarify that with the Director of Health in the next few days. But I think the amendment takes care of a number of concerns that are out there from the Health Department and does not harm those that have an interest in the