

went to 75 percentile, but the intent was to reverse the trend and go back up toward that.

SENATOR HALL: How does this save us money?

SENATOR WESELY: How does...

SENATOR HALL: And I guess my question...

SENATOR WESELY: Oh, the Wehrbein amendment?

SENATOR HALL: Right.

SENATOR WESELY: Well the Wehrbein amendment says, makes it very clear that we don't go to 75 percentile. That's just the maximum.

SENATOR HALL: I understand that, but if you're arguing that we currently are at with the...at the present reimbursement rate, or at 65 percent, would move to 55...

SENATOR WESELY: Oh, I see.

SENATOR HALL: My question is, if Senator Wehrbein's amendment is argued that it's going to cap the dollar figures that are out there, how do we argue that somehow it saves money if we're going to in essence jump from 55 percent actual out of pocket to a 75 unless the argument is the way the amendment is drafted there is not going to be any movement to raise the dollar fee and really it's just, it's an attempt to keep it at...because it's not mandatory, it just says that they may.

SENATOR WESELY: Well, no, it says that they shall adjust but how much they adjust...

SENATOR HALL: Well they shall adjust but not beyond 75 percent.

SENATOR WESELY: Right. You're right.

SENATOR HALL: Not to exceed the 75 percentile, the market rate survey.

SENATOR WESELY: The 75 percent figure is part of federal law, so...