

SENATOR BERNARD-STEVENS: I'm glad I got my light on early. Senator Chambers, I appreciate your observation mainly because that's one of the reasons I filed an indefinite postpone motion on the entire bill. But I put that aside and to see what we do in this particular area, but certainly that's one of the first motions that will be pending depending upon how we approach it. The way I'm going to approach it personally is amendment at a time. And I will be opposing the Withem amendment because I like the word "direction" there. I do concur with Senator Chambers. There's some difficulty with the beginning part of the bill as to whether or not it will be simply advisory and/or direction, but I'll deal with that hopefully and others will deal with that when we get a chance on other amendments. On the idea of direction, what I would hope that we would do is concentrate not on whether or not you want an independent care practice, whether you want this or that, who has what responsibility, but simply focus on what kind of care does a patient and a person in Nebraska deserve? And if something goes wrong, what kind of standards should be held, that person giving the care, should they be held accountable to? I know Senator Landis has his light on and I think he'll be talking about this subject in much, much greater detail and probably with much more understanding than I; but one of the concerns I have is with the word "advisory" that what would happen then is that if there was a problem and if there was a lawsuit the standard of proof, if you wish, on liability would simply be to that of the nurse practitioner or a lower standard of liability. If you have it under the direction of a physician, I suspect that if, and if the bill totally reflects that, by the way, I suspect then if you have a question of liability you are at least going to be at the physician level of liability which will be a stronger, more difficult level. And I always asked myself the question if I were or my son or if some member of my family or anyone that's out there if they get into trouble, what level of liability do they deserve? Are they better in Omaha than in rural Nebraska because we don't have as many primary care so in rural Nebraska we should have a lower burden? I don't think that's good. I don't think it's good medicine. I don't even think it's good policy for people out in our part of the state. And I'll talk about that in a little bit more detail later because I suspect others want to get...punch in as well. I will talk about some other things on the nurse practitioner bill, some observations. I was very much involved with the optometrists and the ophthalmologists bill. I hated that bill and I still hate that