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March 16, 2004 LB 1084

SENATOR CHAMBERS: Were you a part of those discussions?

SENATOR ERDMAN: Me, personally?

SENATOR CHAMBERS: Yes.

SENATOR ERDMAN: I was a part of some of them but not all of them.

SENATOR CHAMBERS: The discussions relative to the punishments and the remedies, were you a part of those discussions? And I don't where it may have just been mentioned to you, but where specifics were discussed in terms of the additional crimes that would be charged that are outside those listed in this bill.

SENATOR ERDMAN: The general discussions that we had were focused on the provisions in the law. There was discussions about the ability to define whether or not someone was knowingly in violation and proving intent or intentional fraud, and so that was where a lot of the discussion centered around, from my memory, as far as how do we prove you've violated the law, and then the appropriate crimes that were in the law were also agreed to by those who were part of our discussion.

SENATOR CHAMBERS: Thank you, Senator Erdman. That's all I'll ask you at this point. Members of the Legislature, this is a bad bill, based on the drafting, and it's bad in terms of expanding the Office of the Attorney General. That part I will get into later, further down the line. But again, I'm looking at this heaping up of penalties, punishments and possible charges that can be brought. You know what I think happened? I think you had some lazy, incompetent people drafting this and they got a model bill which will lay out all kinds of alternatives and possibilities, and rather than picking among them, they just threw them all in and they said, let's see what other states might have. Oh, this looks good, let's throw that in there, too, and let's throw in this. And you have all of these cooks adding to the broth and you come up with a mishmash such as this bill is. I think Medicaid fraud is a terrible activity. Those who perpetrate it are very bad people. They might even rise to the level of what your President refers to as