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FLOOR DEBATE

May 31, 2005

LB 589

CLERK: 33 ayes, 0 nays, Mr. President.

SENATOR CUDABACK: The Banking Committee amendments have been adopted. Anything further on the bill, Mr. Clerk?

CLERK: Nothing further.

SENATOR CUDABACK: Open for discussion. Senator Bourne.

SENATOR BOURNE: Thank you, Mr. President, members. Would Senator Mines yield to a question or two?

SENATOR CUDABACK: Senator Mines, will you yield?

SENATOR MINES: Yes, I will.

SENATOR BOURNE: Thank you. Senator Mines, would you flesh out a little bit? You had discussed that there is going to be an interim study on this, and just to rearticulate my concerns, you know, we have a Department of Insurance that is as good as it gets and yet we're giving some authority to the Department of Health and Human Services to do a function that they don't do now, when we have an agency that already is well-versed in how this works. And is your interim study going to discuss or going to review how the process works now?

SENATOR MINES: Well, I would intend, Senator, that the study evaluate not only HHS and how they plan to institute rules and regulations, but also evaluate with the Department of Insurance to ensure that, in fact, this is the right mechanism. As we talked after we broke, there's a concern that we're allocating authority where maybe it might not need to be allocated, and if the Department of Insurance has standards and practices in place, that may be a reasonable alternative.

SENATOR BOURNE: Okay. And if you discover that during the interim study, it's your intent to introduce legislation to modify this if that need be?

SENATOR MINES: Yeah, I can say...I can say that. If the committee determines that authority should be with the