

March 2, 1976

PRESIDENT: Any further discussion? Record your vote. Record.

CLERK: 27 ayes, 0 nays Mr. President.

PRESIDENT: The committee amendments are adopted.

CLERK: Now Mr. President, there are amendments offered by Senator Murphy, the introducer of the bill. Read amendment.

PRESIDENT: Chair recognizes Senator Murphy.

SENATOR MURPHY: This is simply a clarifying the authority or as followed by members and the members are the authority so it is simply a duplication of language, and it is cleaning it up just a little bit to take out authority or...it is almost an E & R amendment. It does not qualify as such so I would ask that this authority or be stricken from that particular sentence. I would move the adoption of the amendment.

PRESIDENT: Any further discussion? Record your vote. Have you voted? Record.

CLERK: 27 ayes, 0 nays.

PRESIDENT: The amendments are adopted.

CLERK: Mr. President I have another amendment offered by Senator Murphy. This appears to be identical to amend in section 14, page 13, line 9, strike the words "authority of". I would assume that you want to withdraw that. That is all the amendments, Mr. President.

PRESIDENT: Is that to be withdrawn Senator. Alright, it shall be done. Senator Murphy.

SENATOR MURPHY: This bill is a bill that is needed by the Department of Insurance and it deals with malpractice only in the extreme emergency that insurance would not be available to our health care people in the State of Nebraska. Now you have very recently noted that Illinois has been given notice by Hartford that they are withdrawing from the state and panic is hitting there just as it has in California and several other states. In order to preclude the possibility that our health care people can not or will not be able to perform in this state, we need an emergency back-up program such as this. It came about during the summer when we were conducting hearings on malpractice and our new insurance director was testifying and I asked him if he had a game plan in the event such an emergency arose, and he said that at the moment he did not. I asked him if he had statutory authority to do what he thought he might want to do and he said that he would check it. He put these two together and this is his reply. This is a bill that would self destruct at the time insurance became available or within three years It would be put into operation only if the director of insurance in the state was assured in his own mind that insurance would not be available through normal channels. It provides that the Governor will appoint a Commission of seven to direct the program. It provides that health care providers