

March 22, 1976

is in strong opposition to the Cavanaugh amendment. I do not think it needs to be debated much further. I ask you to vote it down and to proceed with the bill.

PRESIDENT: Senator Dworak.

SENATOR DWORAK: Mr. President, I have a question of Senator Schmit, please.

SENATOR SCHMIT: Yes, Senator Dworak.

SENATOR DWORAK: Senator Schmit, if a person opts out of this act and a person is in an emergency situation and the person is by himself and he is rushed to a hospital or to a physician and that person is treated, because this person has opted out of the act and because it is impossible for that physician or hospital at that point to determine whether the person is in or out of the act, then will not the physician or the hospital need to carry a supplemental insurance policy to have protection in excess of \$100,000 or period or will that physician be subject to treating a patient under those circumstances with just a \$100,000 of coverage?

SENATOR SCHMIT: I am sure, Senator Dworak, that once this act becomes law, insurance companies will take a look at it. They will be able to write policies that will cover emergencies and I have confidence that they can do so and that the patient will not be denied medical help nor will the doctor be exposed to undue exposure.

SENATOR DWORAK: But then you are saying, insurance policies will have to be altered to include or to provide for that type of contingency that I just spelled out?

SENATOR SCHMIT: Senator Dworak, there is going to be a considerable amount of alteration in insurance policies in the State of Nebraska if this bill becomes law. If it does not become law, there may be no insurance policies.

SENATOR DWORAK: So then you are saying that the insurance policies could and would be altered to conform the statutes of Nebraska, if we pass LB 703 or 434 or...

SENATOR SCHMIT: I can't say that, Senator Dworak, but I believe that would happen. I believe the insurance companies would take a look at the statutes and would try to adapt their policies to conform with the statute.

SENATOR DWORAK: Therefore, we shouldn't probably predicate any decisions on existing insurance forms? In other words, we shouldn't vote for or against a particular amendment based on existing insurance forms?

SENATOR SCHMIT: I think, if I understand your question correctly, if you are saying that based upon past insurance coverage, we should or should not make our decision, I would say yes.

SENATOR DWORAK: Because insurance coverage could be changed to conform with what this Legislature decides to do with