

SENATOR KENNEDY: Mr. President, and fellow members...uh, should I pass out this amendment so everybody would have had a chance. I thought that was done. If I should, I would like to do it and delay it a minute, if that's possible. If you have a couple of pages there. It's a simple amendment that I don't want to trick anybody.

PRESIDENT: Let's have a couple of pages back to pass out Senator Kennedy's....

SENATOR KENNEDY: I apologize for that. I've been on the phone too much, I guess.

PRESIDENT: While they're doing that, Senator Kennedy, can you explain your amendment?

SENATOR KENNEDY: Would that work out, do you think?

PRESIDENT: We'll stand by for a minute if you want.

SENATOR KENNEDY: Yeah. The amendment to LB513 was brought to my attention yesterday afternoon and this is a bill that we had in here last year. It's mainly to clarify the language originally so that it would pass by for Medicare or Medicaid. But it was brought to my attention yesterday afternoon by the Health Department and through their attorneys that the language in the bill as explained in this amendment should be changed because of an opportunity that possibly there could be lawsuits or something that a certain type of home must have permission to handle, let's say, sleeping pills, aspirins, a certain type of drug. Not that they're trying to run a drugstore, but under the legal factors, this must be identified and it will be under the regulations of the Health Department. So all this is again is to clarify the language that was written. It seems like one of the attorneys just picked this up. And, I wholeheartedly agree, if we're doing something, let's do it correctly so we won't have to come back next year with a bill. So, if you'll read it, it mainly gives the handling, disposal of controlled substance and all other drugs must conform to all state and federal statutes, rules and regulations and standards (read Journal). This will be under the Health Department, we're not changing anything, we're just trying to see that nobody's going to get in a lawsuit for handling sleeping pills, etc. Because they must in some of the aged homes be handled in that particular manner. If there's not...this is the intent of bringing the bill back and I would request that the bill be brought back...uh... to have this amendment attached to it. If there's any questions, I would be happy to....

PRESIDENT: The chair recognizes Senator Goodrich.

SENATOR GOODRICH: Mr. President, members of the Board, and Senator Kennedy. I would like to have you pay close attention to me because I've heard of this amendment coming and the objection to this amendment is right here in the first line. (Read Journal) The licensee, this is the licensee of a home, this is not a nurse, or anyone trained in the art of giving medication, understanding what medication is, that sort of thing. For a convenience, the licensee may assist a resident of a custodial foster home, boarding home, other types of homes, nursing homes, that sort of thing. Frankly, the objection is that this is a requirement that the home have either an RN or LPN who is trained in this area to give the medication to the resident. And, this is what they're objecting to is that we're loosening up the requirement to an extent that the operator of the home may now help dispense these medicines to the recipient. This has....

SENATOR KENNEDY: Senator Goodrich, I might follow through because I've personally observed and I feel that we...with a new license opportunity, we will be creating you might say at least having supervision by the Health and...Department...when they license this home to see what they're doing...that they are qualified and these would be aspirin, sleeping pills, but some of the elderly people are...I would say not sick, not ill, but under the prescription of the doctor...uh...with identification of what type of pill it is, etc., that they might in the