

an informal arbitration board between the dentist and the patient. The peer review committees do not have any legal authority over either the dentist or the patient, however, the results of the work of these committees have been good and have often resulted in a better communication and understanding between dentists and their patients. There is a concern that a peer review committee's activities could be dragged into legal dispute between a dentist and a patient. This has happened or rather was attempted on at least one occasion. Since committee proceedings are informal, the use of committee discussions or reports in a lawsuit would not be fair to either party. More importantly from the point of view of the Dental Association if peer review committee proceedings are not confidential the candor and effectiveness of those proceedings will be reduced. The bill provides that peer review committee testimony and conclusions may not be introduced at a trial unless a court finds that extraordinary circumstances exist. The bill does not prevent the introduction at trial of any evidence obtained outside the peer review committee proceedings. In short, the bill does not change the conduct of lawsuits involving medical providers. Peer review committees have not traditionally been involved in lawsuits and this bill would preserve that desirable situation. The Public Health and Welfare Committee amended the bill to include the peer review committees of all medical providers and I have offered amendments to exclude those committees formed under the Medical Malpractice and Hospital Utilization Committees. I urge you to advance LB 267.

SENATOR CLARK: Is there any further discussion on the bill? If not, the question is the advancement of 267 to E & R. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 31 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The bill is advanced. Senator Warner. We're going to pass over 270. We will go to 255E.

CLERK: Mr. President, LB 255 offered by Senators Hefner, Von Minden and Fitzgerald, Wagner, DeCamp, Fowler, Wesely, and Chronister. (Read title.) The bill was read on January 16 of last year, referred to the Appropriations Committee for public hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Appropriations Committee.