

might put a question to Senator Withem on this. Is it possible to really legislate how a business, you know, may operate or that they take care of so many patients and so on and so forth...maybe Senator Withem doesn't see this bill in doing that, really takes away the rights of a private business to say what patients they are going to take care of or how they are going to run it. Maybe he feels that the...enough prevention has been taken care of in the bill without just saying that you absolutely operate your nursing home on this basis or else, or that the need is great enough. Maybe Senator Withem would like to respond on the rest of my time.

SENATOR WITHEM: Yes, I'd be happy to, Senator Nelson. I guess, using the free enterprise argument is, you know, an acceptable philosophical position, I recognize that. However, in this particular industry, I don't know if you realize how much this particular industry is already regulated and how well it is reimbursed. Do you realize that roughly 10 percent of the budget that you're going to be voting on next week or the week after is Medicaid money that goes to nursing homes? Eighty-million dollars annually of our state budget goes to nursing homes through the Medicaid program. We do a lot of restrictions on nursing homes. Senator Higgins, the first year I was down here, had an excellent bill which I understand she is having troubles getting implemented through no fault of her own, but through the fault of the folks over in the Department of Health, had an excellent bill to put a lot of restrictions on nursing homes and the way they operate. What we're doing is we're dealing with a very serious societal problem here. We're dealing with a problem on how in the world, when we all get old and we all start to run out of money, how we're going to be taken care of. That's a huge, huge problem. Senator Vickers had a bill in Health and Welfare to deal with that question. I had this bill. We've all kind of backed away on trying to come up with the big solutions to it and what I'm saying in this is, let's at least take care of those individuals who have gone into a facility, that facility has profited quite well by taking all of their private money, let's tell them at that point, keep the individual there, keep the 90-year-old individual there, the 85-year-old individual there, be reimbursed by Medicaid at that point or find some other system to take care of them. Yeah, you're right, it is an encroachment on the question of absolute free enterprise but we've already gone so far over that line