

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, I rise to support the Wesely amendment to the appropriations bill. I've had an interest for some time in the enforcement mechanism of all of the licensure bills that we pass here in this Legislature. We spend an inordinate length of time, much more than many of you would like to spend, dealing with passing licensure bills, restricting the practice in various health fields, setting up standards by which health professionals will operate. But we spend very little time, after we passed those bills, evaluating how they are being enforced. I've had a number of groups come to me in the last couple of years with complaints about the fact that these licensure bills are not being enforced, they are not being monitored. Let me give you one very specific example. President of the Hearing Aid Dealers Association came to my office recently and indicated that he was aware of a consumer complaint filed last October against a hearing aid dealer in the Omaha dealer. The question was one of improper practice by this hearing aid dealer. The Department of Health contacted this consumer and said we will be in touch with you in November. This constituent contacted me in January saying this individual still has not been contacted. I sent an inquiry to the Department of Health and asked why hasn't this been dealt with, they indicated because they are poorly manned and they will get to it in March. This is a complaint filed in October, a promise of response in November, but now some time in March maybe it will actually get done. I think what Senator Wesely is proposing is a little more staff assistance, a little more help for these...for this department in order to carry out this legislation that we mandate them to carry out. For that reason I am going to support the Wesely amendment.

SENATOR REMMERS: Senator Wesely, you want to close on your amendment.

SENATOR WESELY: Thank you. Mr. President, members, again this does not increase the budget, does not increase the General Fund appropriation for the Health Department. All it does is adjust the personal service limit so if the Health Department feels, in the best interest of carrying out their responsibilities, they could hire an additional lawyer to do that. That is up to them to decide. But they feel, under the circumstances, they've been stymied in keeping up with the rules and regs enforcement that Senator