

about both. I'm sure there are some of us who feel we may have to make a choice. There are some of us that feel that maybe both bills should be passed. Some of us are not completely sure that only one should be passed. I would just simply like to suggest, for procedure, that if anyone else were in the same circumstances I am at the present time, it may be our best...for our best interest and those interested in this issue that both of these pieces of legislation, the one already passed this morning, that this also be given a chance for further debate and consideration at the next level of debate and would simply support, at this point in time, this legislation for that purpose, along with some others. Thanks.

SPEAKER BAACK: Thank you, Senator Lynch. Senator Landis, would you like to continue?

SENATOR LANDIS: Actually, why don't we proceed...if it's agreeable to John, I think this is a helpful exchange. I hope the rest of you find it of help. John, I laid on the table a question that...my time ran out. Let me rephrase it for you. If you use the civil medical malpractice statute as your form of remedy, don't you have a pretty darn cumbersome system in which the wishes are known, the doctor is unwilling to do it, and you've got, I think it's fair to say, a 12-month, 18-month process of getting the thing decided.

SPEAKER BAACK: Senator Lindsay.

SENATOR LINDSAY: Thank you. Senator Landis, I may not have been clear when I first answered, trying to get through your list of questions and I wasn't clear on this. The reason the doctor would follow the...the instructions of the agent is that the doctor would then expose himself or herself to medical malpractice liability. Second, the doctor would expose himself or herself to...to a possible violation of their...of the professional standards that the medical community maintains, possibly a loss of license or whatever. But the...as far as length of time, there is not a problem because the agent always has the...because the agent is making health care decisions can simply fire the doctor and hire a new one. The agent has the right to make health care decisions, including a choice of physician. So if the physician is unwilling to do what the physician is instructed to do, just like you or I would do if we asked our physician to treat us for an illness we may have now and the physician refused, we would go to another doctor who