

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

68th Legislative Day

6/30/2009

Speaker Madigan: "The regular Session will now come to order. Is there leave that the Roll Call of the Special Session be the Roll Call for the attendance purposes of the regular Session? Leave is granted and a quorum is present. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on June 30, 2009, reported the same back with the following recommendation/s: on the order of Amendatory Veto Motions, a Motion to accept recommends be adopted to Senate Bill 10... or I'm sorry. Senate Bill 1905."

Speaker Madigan: "Representative Dugan."

Dugan: "Thank you, Speaker. I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations to Senate Bill 1905. The action deletes the salaries for the members of the Health Facilities and the Services Review Board and also makes a technical change as far as the name. So I'll certainly answer any questions, but I would like for a favorable vote for this."

Speaker Madigan: "The Lady moves to accept the specific recommendations of the Governor as to Senate Bill 1905. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker and Members of the House. I rise in support of the Governor's Amendatory Veto. There were a few of us who voted against this Bill the first time simply because in the history of the Health Facilities Planning Board, which has had a colorful

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history, I think we could all agree on that, it made no sense to me that suddenly we were going to reconstitute the Health Facilities Planning Board and pay all the members of said board \$65 thousand a year and the chairperson of that board \$90 thousand a year. From what I saw in the last four or five or six years on that board, they all need to pay us, the taxpayer, about a million dollars a piece to handle the corruption tax, which they so carefully manipulated on that board. For years we had members serving on the board that got expenses. That's the way it should be. I saw nothing in the original Bill that said these people would be health care professionals or any other requirements that would indicate the board and the chairperson should be making \$65 or \$90 thousand a year. The Governor has removed that provision. And with that removal... I happened to talk to my hospital providers on a regular basis, they think the Health Facilities Planning Board and the certificate of need is still a viable function of State Government. Some may not agree. But now that they've taken the salary, which I thought was outrageous, out of the Bill I intend to support the Bill. I do think the certificate of need, while perhaps needing to be reviewed every year or two, right now is still needed and necessary. I intend to vote for the Bill or vote for the Amendatory Veto."

Speaker Madigan: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Bellock: "Is... was the other... portion taken out of the Bill also, regarding the health planner?"

Dugan: "No, it was not."

Bellock: "And is that mandatory?"

Dugan: "Yes, it is."

Bellock: "The health planner?"

Dugan: "Yes."

Bellock: "Okay. To the Bill. I know we had a lot of discussion on this Bill. We've had contentious discussion over the last several years. I still think that we should support the Bill in that this is, according the Lewin Report that we all received a couple of years ago. This is the only thing that will save the safety net hospitals. And so, I think it is extremely important for us, even though people feel that there is a contentious debate over it, but the safety net hospitals and the cherry picking are extremely important, not to prevent that cherry picking and to protect those hospitals. Thank you."

Speaker Madigan: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. To the Bill. I appreciate the efforts that the committee who worked on this spent much time and I wasn't going to get up and speak until my colleague before me did, who said he was changing his vote. Folks, you can put lipstick on this pig, but it's still a pig. This Bill... the Governor should have vetoed the entire thing. Taking the payment portion out of it's one thing, but to continue to have a bureaucracy and this is a perfect example of the inertia that we can't overcome in this state, that we always talk about reforming government and

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streamlining government and doing things for the people, but instead of doing that we do minor changes to keep this going. What we're doing, if you vote for this, is to encourage, actually no, not to encourage, you are going to codify noncompetition and increased health care costs with less access to health care in the State of Illinois. That's what the Department of Justice says about this. You should vote 'no' on this, send this agency to its death. It has no business continuing in this state. Vote 'no'. This is still a pig."

Speaker Madigan: "Representative Tyron... Tryon, Tryon, Tyon."

Tryon: "Thank you, Mr. Speaker. I rise in support of this Bill and would like to speak to the Bill, if the Sponsor will yield. Thank you. I got to tell you that this Bill today the CON process is as important today as it was when we started it. We have a system of health care in this country that's based on cost shifting. Medicare and Medicaid don't pay what everybody else pays, in fact, they don't even pay what it costs so the provider has to shift the cost to payers with money and in reality we have the only health care system in the world that sick people with money have to pay for sick people without money and that's because the government isn't paying enough for its patients. So, if you don't have this process and a doctors' group opens up a surgery center across the street from a hospital or another hospital decides they're going to open up across the street from another hospital and they don't take the government patients, they take the cream of the crop to their facility. So, what does the hospital that

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has to take Medicaid and Medicare patents do, they have to raise their price. What does the other hospital do, they raise theirs, too. It's market driven economics in reverse. The cost of health care goes up, less people can afford it, more people go on government health care. And until the government is going to pay 100 percent of market cost for Medicaid and Medicare, we need a process like this and I would urge a 'yes' vote because if we don't approve this, health care will suffer in our state and health care costs will go up. And I hope you vote 'yes'."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Motion. Mr. Black, Representative Bellock, Representative Tryon have it correct; Mr. Franks does not. The... when we... I was on this task force. When we first started, I was of the position that maybe we should just do away with this board. But in the process of listening to witnesses and testimony and reading documents over a period of I think 14 or 15 months, I came to the realization that the safety net hospitals need this and what's more, the Health Facilities Planning Board has never ever done any planning. It's never done any planning. One of the reasons we wanted to change this was because there was corruption on the board, that's fine, but let's leave that aside for a second, the board never actually did any planning which was part of its charter. This Bill, as it was written and as it will be existing after we accept the Amendatory Veto, will put a planner in place, a division of planning, so that we can make sure that geographical areas of the State of Illinois

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that need health care will get it and areas of the State of Illinois that don't need as much health care as they have will get it slowed down. Representative Tryon was right when he says this will increase competition and improve health care in the State of Illinois. I would strongly recommend 'aye' votes on the Motion."

Speaker Madigan: "The last speaker will be Mr. Durkin. Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Durkin: "Representative Dugan, the Health Planning Facility Board for years has been somewhat of a ticking time bomb and it clearly exploded with the scandals at the Edwards Hospital, Naperville and the Mercy Hospital in Crystal Lake. Could you explain to me what type of reforms are in this Bill that will make sure that we will not have a reoccurrence of these scandals?"

Dugan: "Well, a couple things we've done, we've tried to change... change the focus of the board, also requiring board members to... to have health planning experience and to look at those types of things. And then people serving on this committee to be there for the right reasons and to have the knowledge they need to look at health care access. More transparency that we've put into the Bill so we can see more of the rules and the regulations and that type of thing and how processes are done."

Durkin: "Thank you. I trust your explanation and I will support this Amendatory Veto."

Dugan: "Thank you."

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Speaker Madigan: "Representative Dugan to close."

Dugan: "I want to thank for all the responses from my fellow Legislators. This is about health care access. It's about protecting health care access to the safety net hospitals and to others. I'd like an 'aye' vote."

Speaker Madigan: "Representative Dugan has moved to accept the specific recommendations of the Governor as to Senate Bill 1905. All those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people yes... 110 people voting 'yes', 4 people voting 'no'. This Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 507, offered by Representative Durkin. House Resolution 508, offered by Representative May. House Resolution 509, offered by Representative D'Amico. House Resolution 510, offered by Representative Berrios. House Resolution 511, offered by Representative Berrios. House Resolution 512, offered by Representative Hoffman. House Resolution 513, offered by Representative Chapa LaVia. House Resolution 514, offered by Representative Chapa LaVia. House Resolution 515, offered by Representative Chapa LaVia. House Resolution 516, offered by Representative Acevedo. House Resolution 518, offered by Representative Holbrook. House Resolution 519, offered by Representative Beiser. House Resolution 520, offered by Representative Acevedo. House Resolution 521, offered by

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Representative Pihos. House Resolution 522, offered by
Representative Bellock. House Resolution 523, offered by
Representative Currie. House Resolution 524, offered by
Representative Osmond. House Resolution 525, offered by
Representative Osmond. House Resolution 526, offered by
Representative Tryon. House Resolution 527, offered by
Representative Reboletti. House Resolution 528, offered by
Representative Reboletti. House Resolution 529, offered by
Representative Myers. House Resolution 530, offered by
Representative Smith. House Resolution 531, offered by
Representative Mell, correction, Representative Graham.
House Resolution 532, offered by Representative Graham.
House Resolution 533, offered by Representative Durkin.
House Resolution 534, offered by Representative Bost.
House Resolution 535, offered by Representative Flider.
House Resolution 536, offered by Representative Cavaletto.
House Resolution 537, offered by Representative Howard.
House Resolution 538, offered by Representative Howard.
House Resolution 539, offered by Representative Miller.
House Resolution 540, offered by Representative McGuire.
And House Resolution 542, offered by Representative
McAuliffe."

Speaker Madigan: "Representative Currie moves for the
adoption of the Agreed Resolutions. Those in favor say
'aye'; those opposed say 'no'. The 'ayes' have it. The
Agreed Resolutions are adopted. Mr. Clerk, read the
Adjournment Resolution for the regular Session."

Clerk Mahoney: "House Joint Resolution 68, offered by
Representative Currie."

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RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Tuesday, June 30, 2009, the House of Representatives stands adjourned until the call of the Speaker; and the Senate stands adjourned until the call of the President."

Speaker Madigan: "Representative Currie moves for the adoption of the Resolution. Those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Ladies and Gentlemen, let me have your attention. Just a few... a few words regarding schedule. You all heard the Governor's remarks this afternoon. You heard his references to Vetoes and so we're required to stand ready to return to consider the Governor's messages on Vetoes. Our plan is that the House and the Senate will adjourn subject to the call of the presiding officers. And what we will do is to check with all of you regarding your scheduling and your availability before we set a date to return to Springfield to consider the Governor's messages. So, with that in mind, Representative Currie moves that the regular Session of the House now stands adjourned, pursuant to the Adjournment Resolution. Those in favor say 'aye'; opposed say 'no'. The 'ayes' have it. The regular Session of the House stands adjourned, subject to the call of the Chair."