

# HOUSE COMMITTEE ON HEALTH CARE

## TAPE LOG

May 14, 2007 Hearing Room E  
3:00 P.M. Tapes 62 - 64

**MEMBERS PRESENT:** Rep. Mitch Greenlick, Chair  
Rep. Tina Kotek, Vice-Chair  
Rep. Suzanne Bonamici  
Rep. Scott Bruun  
Rep. Ben Cannon  
Rep. Linda Flores  
Rep. Sara Gelser  
Rep. Ron Maurer

**MEMBER EXCUSED:** Rep. Dennis Richardson, Vice-Chair

**STAFF PRESENT:** Sandy Thiele-Cirka, Committee Administrator  
Erin Seiler, Committee Assistant

**MEASURES/ISSUES HEARD:**  
SB 36A – Public Hearing  
SB 36A – Work Session  
SB 206 – Work Session  
SB 191A – Public Hearing  
SB 191A – Work Session  
SB 135A – Public Hearing  
SB 135A – Work Session  
SB 163 – Work Session  
SB 433 – Public Hearing  
SB 433 – Work Session  
SB 229A – Public Hearing  
SB 229A – Work Session  
SB 145A – Public Hearing

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

<b>TAPE #</b>	<b>COUNTER</b>	<b>BRIEF DESCRIPTION OF SUBJECT MATTER</b>
<b>AND SIDE</b>	<b>NUMBER</b>	<b>OR CHANGE IN SPEAKER</b>
<b>62A</b>	002	Chair Greenlick opens the meeting at 3:02 p.m.
<b><u>SB 36A – PUBLIC HEARING</u></b>	012	Sandy Thiele-Cirka, Committee Administrator
	026	Ms. Thiele-Cirka <b>(EXHIBIT A)</b>
	028	Ms. Thiele-Cirka <b>(EXHIBIT B)</b>
	032	Jim Dameron, Administrator, Oregon Patient Safety Commission <b>(EXHIBIT C)</b>
<b>62A</b>	064	Chair Greenlick
	068	Joel Young, Manager, Health Systems Planning, Office of Community Health & Health Planning, Public Health Division, Department of Human Services (DHS)
	088	Chair Greenlick
	090	Mr. Dameron

092  
**SB 36A – WORK SESSION**

094

101

Chair Greenlick

**MOTION: Rep. Gelser moves SB 36A to the floor with a DO PASS recommendation.**

**VOTE: 6-0-3**

**AYE: In a roll call vote, all members present vote Aye.**

**EXCUSED: 3 - Bonamici, Kotek, Richardson**

**Chair Greenlick declares the motion CARRIED.**

**REP. GELSER will lead discussion on the floor.**

Chair Greenlick

104

**SB 206 – WORK SESSION**

106

114

129

Chair Greenlick

Sandy Thiele-Cirka, Committee Administrator (**EXHIBIT D**)

**MOTION: Rep. Cannon moves to ADOPT SB 206-1 amendments dated 05/11/07.**

131

**VOTE: 7-0-2**

**EXCUSED: 2 - Kotek, Richardson**

**Chair Greenlick, hearing no objection, declares the motion CARRIED.**

134

**MOTION: Rep. Cannon moves SB 206 to the floor with a DO PASS AS AMENDED recommendation.**

140

**VOTE: 7-0-2**

**AYE: In a roll call vote, all members present vote Aye.**

**EXCUSED: 2 - Kotek, Richardson**

**Chair Greenlick declares the motion CARRIED.**

146

**MOTION: Rep. Cannon moves SB 206 be placed on the CONSENT CALENDAR.**

148

**VOTE: 7-0-2**

**EXCUSED: 2 - Kotek, Richardson**

**Chair Greenlick, hearing no objection, declares the motion CARRIED.**

150

**MOTION: Rep. Bruun requests unanimous consent that the rules be SUSPENDED to allow REP. BONAMICI to BE RECORDED as voting AYE on the “MOTION: Rep. Gelser moves SB 36A to the floor with a DO PASS recommendation.”**

152

**VOTE: 7-0-2**

**AYE: In a roll call vote, all members present vote Aye.**

**EXCUSED: 2 - Kotek, Richardson**

**Chair Greenlick the motion CARRIED.**

**REP. GELSER will lead discussion on the floor.**

Chair Greenlick

62A

158

**SB 191A – PUBLIC HEARING**

160

178

184

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273

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Sandy Thiele-Cirka, Committee Administrator (**EXHIBIT E**)

Ms Thiele-Cirka (**EXHIBIT F**)

Joel Ario, Administrator, Insurance Division, Department of Consumer and Business Services (**EXHIBIT G**)

Chair Greenlick

Mr. Ario

Julie Huddleston, Manager, Planning, Research and Rate Setting, Seniors and People with Disabilities Division, Department of Human Services (DHS)

Chair Greenlick

	287	Ms. Huddleston
	289	Chair Greenlick
	291	Mr. Ario
	345	Ms. Huddleston <b>(EXHIBIT H)</b>
	379	Rep. Maurer
	384	Rob Johnson, Government Affairs Representative, Oregon Health Care Association (OHCA)
	390	Mr. Ario
	394	Rep. Maurer
	401	Ms. Huddleston
	412	Chair Greenlick
63A	013	Rep. Maurer
	017	Mr. Ario
	032	Rep. Bonamici
	040	Mr. Ario
	051	Mr. Johnson <b>(EXHIBIT I)</b>
	063	Chair Greenlick
<b><u>SB 191A – WORK SESSION</u></b>		
	065	<b>MOTION: Rep. Gelser moves to ADOPT SB 191A-A3 amendments dated 05/14/07.</b>
	068	Rep. Cannon
	071	Chair Greenlick
	075	<b>VOTE: 7-0-2</b> <b>EXCUSED: 2 - Kotek, Richardson</b> <b>Chair Greenlick, hearing no objection, declares the motion</b> <b>CARRIED.</b>
63A	077	<b>MOTION: Rep. Gelser moves SB 191A to the floor with a DO PASS AS AMENDED recommendation.</b>
	083	<b>VOTE: 7-0-2</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 2 - Kotek, Richardson</b> <b>Chair Greenlick declares the motion CARRIED.</b> <b>REP. GREENLICK will lead discussion on the floor.</b>
	085	Chair Greenlick
<b><u>SB 135A – PUBLIC HEARING</u></b>		
	087	Sandy Thiele-Cirka, Committee Administrator
	099	Felicia Holgate, Director, Occupational Therapy Licensing Board <b>(EXHIBIT J)</b>
	119	Chair Greenlick
	121	Ms. Holgate
	125	John McCulley, Representative, Oregon Psychiatric Association
	131	Chair Greenlick
	140	Rep. Gelser
	156	Ms. Holgate
	161	Chair Greenlick
	165	Rep. Maurer
	168	Ms. Holgate
	178	Rep. Maurer
	180	Ms. Holgate
	185	Chair Greenlick
	207	Ms. Holgate

	208	Rep. Maurer
	220	Chair Greenlick
<b><u>SB 135A – WORK SESSION</u></b>		
	224	<b>MOTION: Rep. Gelser moves SB 135A to the floor with a DO PASS recommendation.</b>
	233	<b>VOTE: 7-0-2</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 2 - Flores, Richardson</b> <b>Chair Greenlick declares the motion CARRIED.</b>
	235	<b>Rep. Gelser</b> <b>MOTION: Moves SB 135A be placed on the CONSENT CALENDAR.</b>
	236	<b>VOTE: 7-0-2</b> <b>EXCUSED: 2 - Flores, Richardson</b> <b>Chair Greenlick, hearing no objection, declares the motion CARRIED.</b>
	240	Chair Greenlick
<b><u>SB 163 – PUBLIC HEARING</u></b>		
<b>63A</b>	243	Chair Greenlick
	250	Dr. Walter Shaffer, Medical Director, Division of Medical Assistance Programs (DMAP), Department of Human Services (DHS)
	303	Chair Greenlick
	305	Dr. Shaffer
	363	Rep. Gelser
	373	Dr. Shaffer
	392	Chair Greenlick
	401	Dr. Shaffer
	406	Chair Greenlick
	419	Dr. Shaffer
	427	Chair Greenlick
<b>62B</b>	013	Dr. Shaffer
	016	Chair Greenlick
	022	Dr. Shaffer
	027	Chair Greenlick
	034	Jim Russell, Executive Manager, Mid-Valley Behavioral Care network
	037	Cindy Becker, Executive Director, Coalition for Healthy Oregon (COHO)
	039	Chair Greenlick
	047	Mr. Russell
	064	Chair Greenlick
	068	Mr. Russell
	075	Ms. Becker
	100	Rep. Gelser
	116	Rep. Maurer
	120	Rep. Gelser
	131	Rep. Maurer
	160	Rep. Gelser
	190	Chair Greenlick
	206	Rep. Gelser

	210	Chair Greenlick
	212	Rep. Maurer
	218	Rep. Bonamici
	227	Rep. Maurer
	234	Chair Greenlick
	235	Rep. Gelser
<b>62B</b>	244	Rep. Maurer
	255	Rep. Gelser
	258	Rep. Maurer
	275	Chair Greenlick
	283	Ms. Becker
	285	Chair Greenlick
	299	Ms. Becker
	302	Chair Greenlick
	320	Rep. Maurer
	322	Chair Greenlick
	326	Ms. Becker
	330	Chair Greenlick
<b><u>SB 433 – PUBLIC HEARING</u></b>		
	342	Sandy Thiele-Cirka, Committee Administrator ( <b>EXHIBIT K</b> )
	360	Pete Shepherd, Deputy Attorney General, Oregon Department of Justice (ODOJ) ( <b>EXHIBIT L</b> )
	418	Vice-Chair Kotek
	420	Mr. Shepherd
<b>63B</b>	011	Chair Greenlick
	012	Mr. Shepherd
	020	Chair Greenlick
	021	Mr. Shepherd
	029	Chair Greenlick
	044	Warren Foote, Senior Assistant Attorney General, ODOJ
	078	Mr. Shepherd
	080	Chair Greenlick
	082	Mr. Foote
	088	Chair Greenlick
	090	Rep. Maurer
	092	Chair Greenlick
<b><u>SB 433 – WORK SESSION</u></b>		
	<b>098</b>	<b>MOTION: Rep. Kotek moves SB 433 to the floor with a DO PASS recommendation.</b>
	<b>104</b>	<b>VOTE: 6-0-3</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 3 - Cannon, Flores, Richardson</b> <b>Chair Greenlick declares the motion CARRIED.</b>
	<b>105</b>	<b>MOTION: Rep. Kotek moves SB 433 be placed on the CONSENT CALENDAR.</b>
	<b>106</b>	<b>VOTE: 6-0-3</b> <b>EXCUSED: 3 - Cannon, Flores, Richardson</b> <b>Chair Greenlick, hearing no objection, declares the motion CARRIED.</b>
<b>63B</b>		
	110	Chair Greenlick
<b><u>SB 229A –PUBLIC HEARING</u></b>		

	115	Sandy Thiele-Cirka, Committee Administrator <b>(EXHIBIT M)</b>
	135	Debra Orman, Executive Director, Oregon Board of Psychologist Examiners <b>(EXHIBIT N)</b>
	165	Rep. Bonamici
	180	Steve Rissberger, Chair, Administrative Law Section, Oregon State Bar <b>(EXHIBIT O)</b>
	189	Ms. Orman
	206	Chair Greenlick
	211	Warren Foote, Senior Assistant Attorney General, Oregon Department of Justice (ODOJ) <b>(EXHIBIT P)</b>
	221	Chair Greenlick
	225	Mr. Foote
	237	Mr. Rissberger
	248	Mr. Foote
	260	Vice-Chair Kotek
	269	Ms. Orman
	279	Vice-Chair Kotek
	281	Chair Greenlick
	289	Ms. Orman
	295	Mr. Foote
	303	Chair Greenlick
	307	Ms. Orman
	312	Chair Greenlick
	313	Ms. Orman
	326	Chair Greenlick
	337	Mr. Foote
	357	Chair Greenlick
	371	Rep. Bruun
	380	Rep. Bonamici
	385	Mr. Foote
	404	Rep. Bruun
	411	Mr. Foote
	431	Betsy Earls, Representative, Oregon Psychological Association (OPA)
<b>64A</b>	018	Patrick Braatz, Executive Director, Oregon Board of Dentistry <b>(EXHIBIT Q)</b>
<b>64A</b>	050	Chair Greenlick
	051	Mr. Braatz
	058	Rep. Bonamici
	064	Mr. Braatz
	071	Rep. Bonamici
	073	Mr. Braatz
	080	Dave McTeague, Executive Director, Oregon Board of Chiropractic Examiners <b>(EXHIBIT R)</b>
	103	Vice-Chair Kotek
	108	Mr. McTeague
	137	Chair Greenlick
	140	Mr. McTeague
	143	Chair Greenlick
	147	Mr. McTeague

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**SB 229A – WORK SESSION**

156

Chair Greenlick

**MOTION: Rep. Kotek moves to ADOPT SB 229A-A5 amendments dated 05/14/07 and that the measure be FURTHER AMENDED on page 2, line 17, by changing "within 20 days" to "within 10 days".**

168

Rep. Gelser

176

Chair Greenlick

178

Rep. Bonamici

185

Chair Greenlick

192

Rep. Gelser

199

**VOTE: 5-1-3**

**AYE: 5 - Bonamici, Bruun, Kotek, Maurer, Greenlick**

**NAY: 1 - Gelser**

**EXCUSED: 3 - Cannon, Flores, Richardson**

**Chair Greenlick declares the motion CARRIED.**

201

**MOTION: Rep. Kotek moves SB 229A to the floor with a DO PASS AS AMENDED recommendation.**

204

Rep. Gelser

211

Chair Greenlick

212

Debra Orman, Executive Director, Oregon Board of Psychologist Examiners

218

Chair Greenlick

219

Vice-Chair Kotek withdraws motion.

221

Chair Greenlick

64A

225

Vice-Chair Kotek

227

Chair Greenlick

246

Vice-Chair Kotek

258

Chair Greenlick

**SB 145A – PUBLIC HEARING**

259

Dr. Henry Grass, Psychiatrist, Banks

347

Chair Greenlick

349

Dr. Grass

355

Rep. Maurer

373

Mr. Grass

396

Chair Greenlick

407

Chair Greenlick adjourns the meeting at 5:25 p.m.

**EXHIBIT SUMMARY**

- A. SB 36A, written testimony of Richard Cagen, staff, 1 p
- B. SB 36A, written testimony of Grant Higgenson, staff, 2 pp
- C. SB 36A, written testimony, Jim Dameron, 2 pp
- D. SB 206, -1 amendments, staff, 2 pp
- E. SB 191A, -A3 amendments, staff, 1 p
- F. SB 191A, written testimony of John Mangan, staff, 1 p
- G. SB 191A, written testimony, Joel Ario, 3 pp
- H. SB 191A, written testimony, Julie Huddleston, 2 pp
- I. SB 191A, written testimony, Rob Johnson, 2 pp

- J. **SB 135A, written testimony, Felicia Holgate, 1 p**
- K. **SB 433, written testimony of Oregon State Board of Nursing, staff, 2 pp**
- L. **SB 433, written testimony, Pete Sheperd, 22 pp**
- M. **SB 229A, -A5 amendments, staff, 2 pp**
- N. **SB 229A, written testimony, Debra Orman, 2 pp**
- O. **SB 229A, written testimony, Steve Rissberger, 4 pp**
- P. **SB 229A, written testimony, Warren Foote, 3 pp**
- Q. **SB 229A, written testimony, Patrick Braatz, 2 pp**
- R. **SB 229A, written testimony, Dave McTeague, 2 pp**