

**HOUSE COMMITTEE ON JUDICIARY**

**SUBCOMMITTEE ON CIVIL LAW**

**April 18, 2005 Hearing Room 357**

**8:30 A.M. Tapes 60 - 61**

**MEMBERS PRESENT:           Rep. Bob Ackerman, Chair**

**Rep. Linda Flores**

**Rep. Bill Garrard**

**Rep. Kelley Wirth**

**MEMBER EXCUSED:           Rep. Kelley Wirth**

**GUEST MEMBERS:           Rep. Wayne Krieger**

**Rep. Greg Macpherson**

**STAFF PRESENT:           Sam Sears, Counsel**

**Louann Rahmig, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**HB 2518 – Work Session**

**HB 2283 – Work Session**

**HB 2285 – Work Session**

**HB 3085 – Work Session**

**HB 2306 – Work Session**

**HB 2416 – Work Session**

**HB 2545 – Work Session**

**HB 2839 – Work Session**

**HB 3159 – Work Session**

**HB 3318 – Work Session**

**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 60, A</b>		
005	Chair Ackerman	Calls the meeting to order at 8:52 a.m. Announces Rep. Krieger will serve as part of the subcommittee to complete the quorum, until the arrival of Rep. Flores. Opens a work session on HB 2518.
<b><u>HB 2518 – WORK SESSION</u></b>		
010	Sam Sears	Counsel. Explains HB 2518, which allows the Public Safety Memorial Fund Board, if the applicant requests and shows good cause, to extend the 30-day time limit that the applicant has to request reconsideration of an order issued by the board or for the board to notify the applicant of its decision on reconsideration. Introduces and explains the -2 amendments ( <b>EXHIBIT A</b> ).
022	Chair Ackerman	<b>MOTION: Moves to ADOPT HB 2518-2 amendments dated 2/25/05.</b>  <b>VOTE: 3-0-2</b>  <b>EXCUSED: 2 – Flores, Wirth</b>
023	Chair Ackerman	<b>Hearing no objection, declares the motion CARRIED.</b>

- 025      Rep. Garrard      **MOTION: Moves HB 2518 to the full committee with a DO PASS AS AMENDED recommendation.**
- 027      **VOTE: 3-0-2**
- AYE:            In a roll call vote, all members present vote Aye.**
- EXCUSED: 2 - Flores, Wirth**
- 032      Chair Ackerman      **The motion CARRIES.**
- REP. GARRARD will lead discussion in the full committee.**
- 033      Chair Ackerman      Closes the work session on HB 2518 and opens a work session on HB 2283 and HB 2285.

**HB 2283 AND HB 2285 – WORK SESSION**

- 048      Sam Sears              Counsel. Describes HB 2283, which prohibits agencies from requiring licensees to take mental or physical examinations unless the agency has adopted rules ensuring timely, cost-effective exams, performed by an impartial professional; provides the licensee with the right to a contested case hearing to challenge the order requiring the examination; and limits the issues that may be decided at these hearings as to whether there is substantial evidence to support the agency’s requirement for the examination. Continues that the -5 amendments (**EXHIBIT B**) exclude the Department of Transportation and the Department of Public Safety Standards and Training from the requirements of HB 2283.
- 072      Sears                      Explains that the -1 amendments (**EXHIBIT C**) substantially modify HB 2285 and require the health professional regulatory board, upon request from the licensee who has received a notice of intent to impose disciplinary actions, to disclose all information obtained by the board in its investigation of the disciplinary actions; and provide an exception for information that is privileged or confidential under other laws.
- 085      Lorey Freeman          Oregon State Bar. Testifies and submits written testimony in support of HB 2283 (**EXHIBIT D**). Advises that HB 2283 requires an investigator to provide a written order explaining the basis for the action to encourage agencies to conduct an initial investigation of the complaint before ordering an examination.

122	Freeman	Continues that HB 2283 specifically excludes emergency suspensions pursuant to ORS 183.430(2) if there is serious danger to public health or safety.
135	Freeman	Testifies and submits written testimony in support of HB 2285 <b>(EXHIBIT E)</b> . Explains that HB 2285 addresses whether a health professional facing discipline based upon a complaint lodged with a health licensing board has the right to obtain information from the board's investigative file to assist in defense. Reads from an Attorney General interpretation of ORS chapter 676.
151	Philip Schradle	Department of Justice. Testifies as neutral on both HB 2283 and HB 2285.
157	Kathleen Haley	Executive Director, Board of Medical Examiners. Testifies and submits written testimony in opposition to HB 2283 and the -5 amendments <b>(EXHIBIT F)</b> . Reads the names of other health licensing boards also in opposition. Discusses the process for orders of evaluation.
197	Haley	Advises that the Department of Human Services has concerns about the effects of HB 2283 on foster care placements for children and adults.
208	Haley	Reiterates that the current process works. States that HB 2283 will slow down the process by about six weeks.
230	Chair Ackerman	Asks if under current law the order for examination would go to the circuit court then to court of appeals.
236	Haley	Replies, that is correct. Continues that the one instance they had was completed within 14 days.
240	Chair Ackerman	Inquires if there is an appeal of the order for an examination under current law, it goes directly to the court of appeals as a contested case appeal.
243	Schradle	Responds, that is correct. States that under the proposal it would have a hearing before an administrative law judge with an ultimate final order to be reviewed by the court of appeals.

249	Chair Ackerman	Asks if the appeal to the first proceeding in circuit court would be eliminated by HB 2283.
251	Schradle	Answers, correct, replaced by a contested case proceeding before an administrative law judge and a final order by the agency.
254	Freeman	Stresses that the administrative law judge issues an interim order with the final order issued by the agency, so the agency still has control.
260	Chair Ackerman	Asks if either HB 2283 or HB 2285 impairs any agency from entering a hearing immediately under ORS 818.340(2).
273	Schradle	Responds, no. Refers to the amendments to HB 2283 which have an express exemption for an emergency suspension proceeding.
283	Haley	Testifies and submits written testimony in opposition to HB 2285 and the -1 amendments ( <b>EXHIBIT G</b> ). Reads into the record the other boards also in opposition. States that HB 2285 reverses advances in public safety instituted by the legislature in 2003.
314	Haley	Advises that in administrative law, sexual misconduct and assault victims are not given special protection or appointed advocates in the criminal justice system.
326	Haley	Raises the issue of legal costs. Anticipates an increase by 50 percent for consultation with the Attorney General about disclosure of documents.
351	Rep. Macpherson	Asks if under HB 2285 the entire administrative file is to be accessible regardless of whether the contents of that file had been presented to the licensing board as part of the action being taken by the board.
361	Freeman	Replies, that is correct.
363	Rep. Macpherson	Inquires why information not relevant to the subject of the proceeding should be accessible to the licensee's attorney.
372	Freeman	

Responds that in a criminal proceeding, the district attorney would be expected to put forth the strongest evidence in the file but should not refuse discovery of any exculpatory evidence.

**TAPE 61, A**

**007 Rep. Ackerman MOTION: Moves to ADOPT HB 2283-5 amendments dated 4/15/05.**

**VOTE: 3-0-1**

**EXCUSED: 1 - Wirth**

**008 Chair Ackerman Hearing no objection, declares the motion CARRIED.**

**011 Chair Ackerman MOTION: Moves HB 2283 to the full committee with a DO PASS AS AMENDED recommendation.**

**VOTE: 4-0-1**

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

**EXCUSED: 1 - Wirth**

**014 Chair Ackerman The motion CARRIES.  
REP. ACKERMAN will lead discussion in the full committee.**

**The following prepared testimony is submitted for the record without public testimony:**

John Minnis Department of Public Safety Standards and Training. Submits written testimony on HB 2283 (**EXHIBIT O**).

Kathleen Hynes Employment Department. Submits written testimony in opposition to HB 2283 (**EXHIBIT P**).

Kim Cobrain State Board of Nursing. Submits written testimony in opposition to HB 2283 (**EXHIBIT Q**).

**015 Chair Ackerman Closes the work session on HB 2283.**

021 Chair Ackerman **MOTION: Moves to ADOPT HB 2285 -1 amendments dated 3/2/05.**

**VOTE: 3-0-1**

**EXCUSED: 1 - Wirth**

023 Chair Ackerman **Hearing no objection, declares the motion CARRIED.**

024 Rep. Ackerman **MOTION: Moves HB 2285 to the full committee with a DO PASS AS AMENDED recommendation.**

027 Rep. Macpherson Indicates he is unsettled about material being in the files that wouldn't be appropriate as part of the case.

037 Rep. Krieger Refers to testimony at the last hearing on HB 2285 on the difficulty to get people to come forward on sexual misconduct cases.

043 Chair Ackerman Comments that would be a situation where there would be information in file but not germane.

046 Rep. Macpherson Wants agencies to be able to gather as much relevant information as possible.

055 Chair Ackerman Shares the concern about opening the entire investigative file.

**VOTE: 1-2-1**

**AYE: 1 - Garrard**

**NAY: 2 - Flores, Ackerman**

**EXCUSED: 1 - Wirth**

067 Chair Ackerman **The motion FAILS.**

**The following prepared testimony is submitted for the record without public testimony:**

- Martin Pittioni State Board of Psychologist Examiners. Submits written testimony in opposition to HB 2285 (**EXHIBIT R**).
- 068 Chair Ackerman Closes the work session on HB 2285 and opens a work session on HB 3085, which requires state agencies to pay the attorney fees, costs and disbursements in civil cases where they lose and are unable to show that the challenged agency action was substantially justified.

**HB 3085 – WORK SESSION**

- 083 Chair Ackerman Announces that there will be invited testimony on HB 3085.
- 106 Rep. Dennis Richardson Advises that he has reviewed the -1 amendments (**EXHIBIT H**) and believes they reflect the concerns raised at public hearing. States that the fiscal impact is indeterminate.
- 128 Clarence Greenwood Attorney, Portland, Oregon. Explains that the purpose of HB 3085 is to clarify that Oregon’s law has the same standard as federal law. Believes that the -1 amendments capture the full intent of the 1981 legislation and adds contested cases.
- 161 Philip Schradle Special Counsel to the Attorney General. Testifies and submits written testimony on HB 3085 (**EXHIBIT I**). Raises concern about proposed amendments to ORS 182.090 causing unintended consequences.
- 191 Schradle Provides examples of Division of Child Support matters. Suggests consideration of narrowing to only ORS 183.497. Advises that there are already budget constraints on agencies so they are unable to engage in unmerited and unwarranted actions. Continues that there will be increased exposure for agencies.
- 221 Schradle States that there will be an increase in litigation costs. Discusses the “reasonable person” component of the standard in the -1 amendments (**EXHIBIT H**). Indicates a need to consider if this is a broader application than the federal standard and if it makes policy sense for adjudicatory agencies.
- 240 Margaret Taylor Department of Administrative Services (DAS). Testifies and submits written testimony as neutral on HB 3085 (**EXHIBIT J**). Explains use



of the reserves in the “risk pool” to cover claims. Raises concern with any “meaningful portion” of an action.

- 267 Taylor Discusses concerns with language “action, inaction or position” of a state agency. Cites some examples. States that the cost of litigation would increase 39.3 percent. Continues that the costs would increase \$9 million on tort claims alone.
- 307 Rep. Krieger Asks if the \$9 million would be the impact to the state.
- 308 Taylor Replies, minimal.
- 310 Rep. Krieger Inquires about the impact to the public.
- 311 Taylor Responds that Rep. Richardson’s description of HB 3085 was to protect the individual from an overly aggressive agency action against the individual. Reads the language of HB 3085 to be much broader than that.
- 319 Rep. Krieger Asks if the cost to the public would also be \$9 million.
- 323 Taylor Answers that the \$9 million is based on tort claims where there was an allegation of inaction or failure of negligence. Asks for clarification.
- 330 Rep. Krieger Restates the question.
- 339 Taylor Believes the attorney gets a contingent fee regardless. Goes on that many of the tort claims are by incarcerated individuals. Cites some examples of claims.
- 353 Rep. Macpherson Comments that the concern originally raised was for overly aggressive enforcement action by the state that was costing citizens to defend against. Continues that now it seems to apply to inaction by the state and tort actions that are not enforcement actions but cases of alleged negligence. Asks how HB 3085 responds to the original concern.
- 379 Greenwood

Responds that ORS 182.090 and ORS 183.497 were simultaneously enacted in 1981 based on federal statute. Continues that it is not clear whether the statutes apply to tort claims.

402 Greenwood States that in 24 years there has never been a tort claims action where there was a fee award. Cites a Wasco County case that clearly adopted the federal rule that when an agency is acting in an adjudicatory function the statute doesn't apply.

#### **TAPE 60, B**

003 Greenwood Advises of case law at the federal level and other state levels showing no problems with the standard. States that "meaningful portion" language is in current law and has not been a problem for the court. Responds to Rep. Krieger's issue. Believes that because the Oregon Court of Appeals has adopted de facto (a good faith/bad faith standard) in the Kaive's case, Oregonians are having to bear the cost of unfounded agency actions.

033 Rep. Flores Asks for the normal carryover for DAS.

038 Taylor Replies that the concern is how change of the scope will impact the reserves. Explains how attorneys fees were paid and how they affected the cost of the claim.

046 Rep. Flores Asks for the dollar amount normally carried over at the end of the biennium for DAS.

049 Taylor Answers, she doesn't know. Explains that DAS has many functions, so each has a different needed ending balance which is usually 30-60 days. Offers to obtain the information.

056 Rep. Flores Requests carryover information for the past four biennia.

059 Taylor Clarifies that Ms. Flores wants the dollar amount of reserves in the risk pool.

062 Rep. Garrard Refers to the \$9 million impact. Asks if some money will actually be saved by state agencies not pursuing legal action.

066 Taylor

Replies, we initially thought so. Continues that review of the “nonaction” language indicates that if it is brought forward in a judicial proceeding then it would be subject to a claim.

- 074 Sears Asks if the intent of HB 3085 is to cover the Oregon Tort Claims Act.
- 076 Greenwood Replies, no.
- 077 Sears Asks if there was a reason that wasn't excluded in the amendments just to clarify.
- 078 Greenwood States that neither the federal nor Oregon's Tort Claims Act provides for award of attorney fees to the successful party. Cites the federal act which states only costs are recovered and a contingent fee arrangement is limited to 25 percent of the recovery. Advises that HB 3085 was left as close to the 1981 language as possible.
- 101 Chair Ackerman Indicates confusion about the scope of HB 3085. States that Page 1, Line 12 of HB 3085 identifies what state agency action is and defines it as a civil judicial proceeding, not an administrative proceeding. Reminds everyone of the concerns raised at the previous hearing and comment that no changes were made.
- 110 Chair Ackerman Continues that in a work session he outlined parameters for language on the attorney fee situation which was already acceptable by the court through case precedent. Advises that what appears now is a “substantially justified” test consistent with the federal standard, but then it has to satisfy a “reasonable person.” Refers to Page 2 of the -1 amendments, court can now also consider common law and ORS 20.075(2) which sets forth 15 additional subsets to consider in the award of attorney fees.
- 134 Greenwood Replies that the standard comes from federal decisional law and other jurisdictional state law and is substantially justified to a reasonable person.
- 138 Chair Ackerman Objects and explains that he provided the Equal Access to Justice Act, which defines a substantially justified test, and information that the reasonable person test is not a test for determination of attorneys fees, other than those imposed in bad faith. Indicates HB 3085 needs more work.
- 152 Rep. Krieger

Believes the merits of what they are trying to do have good foundation. Recommends Mr. Greenwood and Rep. Richardson get together again to address Chair Ackerman's concerns. Suggests also that he and Chair Ackerman meet with Rep. Richardson.

- 164 Chair Ackerman Agrees.
- 166 Rep. Flores Asks if there will be further discussion, what type of motion would be in order.
- 171 Chair Ackerman Responds that he was providing an opportunity for the subcommittee to make a motion to forward to the full committee, and if there is no motion, the work session will be closed with the understanding that the work group will return with corrections.
- 177 Rep. Flores States that she does not wish to close the opportunity for this legislation.
- 179 Chair Ackerman Comments that he is trying to get a better work product.
- 183 Rep. Garrard Asks if HB 3085 could be moved to the full committee and the work be done between now and their meeting.
- 187 Chair Ackerman Answers that could be done but there is a question on how expedient that would be.
- 190 Rep. Krieger Prefers the work be done prior to moving HB 3085 to the full committee.
- 196 Chair Ackerman Closes the work session on HB 3085 and opens a work session on HB 2306.

### **HB 2306 – WORK SESSION**

- 204 Sam Sears Counsel. Explains HB 2306 and the -4 amendments (**EXHIBIT K**) make unmarried parents liable for the expenses of their children; make unmarried parents and husbands and wives liable for the expenses of their minor children even if those children are deemed to have attained the majority because those children have become parents; and clarify that neither unmarried parents nor spouses are liable for the expenses of their grandchildren. Advises of the work on amendments to address this committee's concerns surrounding

obligations for grandchildren and issues raised by the Judicial Department in situations where paternity had not been established.

236 Rep. Garrard **MOTION: Moves to ADOPT HB 2306-4 amendments dated 4/14/05.**

**VOTE: 3-0-1**

**EXCUSED: 1 - Wirth**

238 Chair Ackerman **Hearing no objection, declares the motion CARRIED.**

241 Rep. Garrard **MOTION: Moves HB 2306 to the full committee with a DO PASS AS AMENDED recommendation.**

**VOTE: 3-0-1**

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

**EXCUSED: 1 - Wirth**

249 Chair Ackerman **The motion CARRIES.**

**REP. GARRARD will lead discussion in the full committee.**

250 Chair Ackerman Closes the work session on HB 2306 and opens a work session on HB 2416.

**HB 2416 – WORK SESSION**

257 Sam Sears Counsel. Explains HB 2416 and the -1 amendments (**EXHIBIT L**) extend a cause of action for physical and financial abuse to financially incapable persons and persons with disabilities. States that the -1 amendments clarify that a person with disabilities includes both physical and mental disabilities.

296 Rep. Flores **MOTION: Moves to ADOPT HB 2416-1 amendments dated 3/30/05.**

**VOTE: 3-0-1**

**EXCUSED: 1 - Wirth**

- 301 Chair Ackerman Hearing no objection, declares the motion CARRIED.**
- 301 Rep. Macpherson Comments that he had expressed concern about the breadth of the definition in the original HB 2416. Reads the two-part definition of “disability” in the -1 amendments. Explains the issues needing to be resolved. Is unsure that the amendments solve them.
- 345 Sears Believes that the definition of vulnerable persons in Line 10 of the -1 amendments captures the issue. Advises that the definition for physical disability is taken from the Americans with Disabilities Act and is rather broad.
- 364 Rep. Macpherson Responds that Lines 10 to 12 in the -1 amendments go exactly to the issue. Continues that the change expands the term “person with disabilities” as part of the general definition of “vulnerable person.” Asks about the significance of the earlier definition of “person with disabilities” in ORS 124.100(1)(d).
- 379 Sears Explains the various definitions. Reads from Line 16 of the original HB 2416.

**TAPE 61, B**

- 010 Rep. Macpherson Does not see “person with disabilities” as defined in statute as used in HB 2416. Refers to Page 1, Line 10 of HB 2416.
- 014 Sears Asks if the -1 amendments define “person with disabilities” differently than it is in statute.
- 017 Rep. Macpherson Asserts that “vulnerable” person is the operative word in HB 2416. Believes Lines 10 to 12 in the -1 amendments solve that problem. Expresses confusion as to why there is a separate definition in Page 1, Line 10 of the original HB 2416.
- 023 Sears Believes that is just statutory construction. Believes that HB 2416 first defines the categories and then “vulnerable persons” is further expanded.
- 030 Rep. Macpherson

Comments that he is satisfied that HB 2416 accomplishes what is needed but is still confused why there are separate definitions for “person with disabilities.”

- 038 Chair Ackerman Refers to issue about occupations. States that it appears that a vulnerable person must now meet that threshold.
- 041 Rep. Macpherson Does not read it that way. Refers to a vulnerable person as defined in the -1 amendments.
- 045 Sears Clarifies that only applies to a person with a disability.
- 049 Rep. Macpherson Asks if a person has to both meet the standard in Lines 2 to 9 and Lines 10 to 12 of the -1 amendments.
- 052 Sears Answers, yes.

**061 Rep. Flores MOTION: Moves HB 2416 to the full committee with a DO PASS AS AMENDED recommendation.**

**VOTE: 3-0-1**

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

**EXCUSED: 1 - Wirth**

**068 Chair Ackerman The motion CARRIES.**  
**REP. FLORES will lead discussion in the full committee.**

070 Chair Ackerman Closes the work session on HB 2416 and opens a work session on HB 2545.

### **HB 2545 – WORK SESSION**

073 Sam Sears Counsel. Explains that HB 2545 prohibits a public body from charging a record requestor attorney fees that are related to the determination of the application of the provisions of the public record laws. Advises that this subcommittee previously moved HB 2545 to the full committee, which adopted the -2 amendments. Continues that additional work was done and HB 2545 is returned to adopt the -3

amendments (**EXHIBIT M**), which clarify what attorney fees can and cannot be charged to record requestors.

- 081 Chair Ackerman Explains the work done on HB 2545 since the first public hearing.
- 093 Chair Ackerman **MOTION: Moves to ADOPT HB 2545-3 amendments dated 4/13/05.**
- VOTE: 3-0-1**
- EXCUSED: 1 - Wirth**
- 095 Chair Ackerman **Hearing no objection, declares the motion CARRIED.**
- 096 Chair Ackerman Gives an overview of HB 2545 and the -3 amendments. Reports that there is also a waiver process on fees. Believes that HB 2545 is a good balance on the public's right to know and the agency's costs to process request.
- 119 Rep. Flores Asks if the League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC) were involved in the compromise amendments.
- 125 Chair Ackerman Provides information on the work group participants. Doesn't believe any public bodies were in the group.
- 129 Paul Snider AOC. Indicates that the AOC was not involved in the amendment drafting, but the issues raised for the cities were similar to those for the counties. Believes the product clarifies the issues.
- 134 Chair Ackerman Advises that the Legislative Counsel assisted LOC in the preparation of the amendments.
- 139 Chair Ackerman **MOTION: Moves HB 2545 to the full committee with a DO PASS AS AMENDED recommendation.**
- VOTE: 3-0-1**
- AYE: In a roll call vote, all members present vote Aye.**



**EXCUSED: 1 - Wirth**

153      Chair Ackerman      **The motion CARRIES.**

**REP. ACKERMAN will lead discussion in the full committee.**

155      Chair Ackerman      Closes the work session on HB 2545 and opens a work session on HB 2839.

**HB 2839 – WORK SESSION**

159      Sam Sears      Counsel. Explains HB 2839, which imposes personal liability on employees of the Department of Human Services who intentionally falsify reports, willfully misrepresent the truth or intentionally misuse their position of trust or power of employment. Advises that HB 2839 allows individuals to bring personal action against employees instead of using the Tort Claims Act. States that there was no opposition to HB 2839 at public hearing.

179      Rep. Garrard      **MOTION: Moves HB 2839 to the full committee with a DO PASS recommendation.**

**VOTE: 3-0-1**

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

**EXCUSED: 1 - Wirth**

186      Chair Ackerman      **The motion CARRIES.**

**REP. GARRARD will lead discussion in the full committee.**

189      Chair Ackerman      Closes the work session on HB 2839 and opens a work session on HB 3159.

**HB 3159 – WORK SESSION**

198      Sam Sears      Counsel. Describes HB 3159 which exempts certain licensed construction contractors from product liability civil actions brought for damages related to asbestos. Refers to the -3 amendments **(EXHIBIT N)** which clarify what contractors can and cannot be sued.

213 Chair Ackerman Explains the need for the amendments. Advises that the original HB 3159 applied only to licensed contractors in Oregon. Provides background of HB 3159 and the amendments.

239 Chair Ackerman **MOTION: Moves to ADOPT HB 3159-3 amendments dated 4/18/05.**

**VOTE: 3-0-1**

**EXCUSED: 1 - Wirth**

240 Chair Ackerman **Hearing no objection, declares the motion CARRIED.**

243 Chair Ackerman **MOTION: Moves HB 3159 to the full committee with a DO PASS AS AMENDED recommendation.**

**VOTE: 3-0-1**

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

**EXCUSED: 1 - Wirth**

250 Chair Ackerman **The motion CARRIES.**

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

252 Chair Ackerman Closes the work session on HB 3159.

259 Chair Ackerman Opens a work session on HB 3318.

### **HB 3318 – WORK SESSION**

262 Sam Sears Counsel. Explains HB 3318 which increases the amount employers may pay for medical services in nondisabling claims from \$500 to \$1,500 to keep pace with inflation.

280 Chair Ackerman **MOTION: Moves HB 3318 to the full committee with a DO PASS recommendation.**

283 Chair Ackerman Comments on the “housekeeping” aspects of HB 3318.

