

**HOUSE COMMITTEE ON**  
**HEALTH AND HUMAN SERVICES**

February 21, 2005 Hearing Room D

8:30 A.M. Tapes 33 - 34

**MEMBERS PRESENT:**           **Rep. Billy Dalto, Chair**

**Rep. Tom Butler, Vice-Chair**

**Rep. Carolyn Tomei, Vice-Chair**

**Rep. Deborah Boone**

**Rep. Kevin Cameron**

**Rep. Mitch Greenlick**

**Rep. Bob Jenson**

**MEMBERS EXCUSED:**           **Rep. Gordon Anderson**

**STAFF PRESENT:**           **Sandy Thiele-Cirka, Committee Administrator**

**Pamella Andersen, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**HB 2053 – Work Session**

**HB 2177 – Work Session**

**HB 2201 – Work Session**

**SB 222A – Public Hearing**

**SB 225 – Public Hearing**

**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 33, A</b>		
005	Vice Chair Butler	Calls the meeting to order at 8:36 a.m.
008	Sandy Thiele-Cirka	Administrator. Reports the amendments to HB 2058 are not available.
016	Chair Dalto	Opens a work session on HB 2053.

**hb 2053 – WORK SESSION**

018	Sandy Thiele-Cirka	Administrator. Reviews the history and intent of the bill which changes the name of a commission.
<b>023</b>	<b>Rep. Butler</b>	<b>MOTION: Moves HB 2053 to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.</b>
024	Rep. Greenlick	Believes it is a mistake to make the name more complicated.
<b>043</b>		<b>VOTE: 6-0-1</b> <b>EXCUSED: 1 – Anderson</b>
	<b>Chair Dalto</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on HB 2053. Opens a work session on HB 2177.

**hb 2177 – WORK SESSION**

069	Sandy Thiele-Cirka	Administrator. Reviews the history and intent of the bill relating to license renewals.
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- 080 Rep. Butler Asks if the board discussed the suggestion of moving to biennial renewals.
- 091 Jon Langenwalter Administrator, Board of Clinical Social Workers. Reports the board discussed this, but opposes it as a questionnaire is included with the renewal forms and biennial responses would be too infrequent.
- 101 Rep. Butler Notes his accountancy license. Elaborates on his suggestions. Expresses concern that certain issues are not addressed immediately by licensees. Requests the chair issue a letter to the Ways and Means co-chairs requesting they have this board address issues in a timelier manner and move the licensing period a biennial format.
- 153 Langenwalter Explains the present rules and the questions typically asked, noting the rules are not followed effectively.
- 154 Rep. Butler Comments the committee could defer the measure and rework it. Questions whether a subsequent referral could be added. Requests HB 2177 be removed from the committee's calendar with the intent that the chair of the Ways and Means Committee receive a budget note indicating this needs to be solved completely.
- 211 Rep. Greenlick Lists three questions being discussed. Suggests the bill be passed, and Ways and Means be requested to urge all agencies to move to biennial licensing via budget notes.
- 234 Patrick Allen Manager, Office of Regulatory Streamlining. References HB 2094 presently in the General Government Committee, which addresses these issues with permissive language. Elaborates on provisions.
- 258 Rep. Butler **MOTION: Moves HB 2177 to the floor with a DO PASS recommendation.**
- 260 Rep. Butler Comments on the need for the issues mentioned to be addressed.
- 295 **VOTE: 6-0-1**  
**EXCUSED: 1 – Anderson**
- Chair Dalto Hearing no objection, declares the motion CARRIED.**  
**REP. BUTLER will lead discussion on the floor.**

312 Chair Dalto Closes the work session on HB 2177. Opens a work session on HB 2201.

**hb 2201 – WORK SESSION**

314 Sandy Thiele-Cirka Administrator. Reviews the history and intent of the bill related to license renewals.

325 Rep. Butler Raises same issues as with the previous bill.

340 Rep. Tomei **MOTION: Moves HB 2201 to the floor with a DO PASS recommendation.**

347 **VOTE: 5-0-2**

**EXCUSED: 2 - Anderson, Boone**

**Chair Dalto Hearing no objection, declares the motion CARRIED.**

359 Rep. Tomei **MOTION: Moves HB 2201 be placed on the CONSENT CALENDAR.**

363 **VOTE: 5-0-2**

**EXCUSED: 2 - Anderson, Boone**

**Chair Dalto Hearing no objection, declares the motion CARRIED.**

367 Rep. Butler **MOTION: Moves to SUSPEND the rules for the purpose of allowing REP. BOONE to BE RECORDED as voting AYE on HB 2201.**

376 **VOTE: 6-0-1**

**EXCUSED: 1 - Anderson**

**Chair Dalto Hearing no objection, declares the motion CARRIED.**

381 Chair Dalto Closes the work session on HB 2201. Opens a public hearing on SB 222A

## **SB 222A – PUBLIC HEARING**

- 384 Sandy Thiele-Cirka Administrator. Reviews the history and intent of the bill, which is related to housing for people with chronic mental illness.
- 400 Bob Nikkel Administrator, Office of Mental Health and Addiction Services, Department of Human Services (DHS). Supports SB 222A. Submits and reviews written testimony (**exhibit a**), noting the need for DHS to have flexibility in addressing specific housing needs.

### **TAPE 34, A**

- 020 Rep. Butler Seeks to ensure the bill enhances existing situations with care providers.
- Nikkel Confirms it would not change any existing situations, but only enhance opportunities.
- 030 Angela Kimball Association of Oregon Community Mental Health Programs. Supports SB 222A. Submits and reviews written testimony (**exhibit b**), noting the necessity of developing housing to ease pressure on state hospitals. Relates experience with individual who would benefit from this legislation.
- 093 Bob Repine Director, Oregon Housing and Community Services Department (OHCSA). Supports SB 222A. Elaborates on the various possibilities this legislation would allow, particularly with residential housing for five or less people.
- 126 Rep. Boone Asks if the large Victorian homes in Astoria would qualify.
- 134 Nikkel States those kinds of projects are being considered, and this bill would provide flexibility with those opportunities, where the existing law does not.
- 140 Rep. Boone Questions how this would impact mobile or manufactured homes in parks.
- 142 Repine Comments long term financing for mobile or manufactured homes requires land title transfers, which might preclude one in a park.

153	Rep. Greenlick	Relates experience in emergency rooms, where patients with mental illness might be held sedated for a number of days because there is no bed for them. Questions whether this bill would help alleviate this situation.
166	Nikkel	Responds yes. Elaborates on the present needs that will be addressed by this bill.
188	Chair Dalto	Mentions the receipt of written testimony from Bob Joondeph, Oregon Advocacy Center in support of SB 222A ( <b>exhibit c</b> ).
194	Jane Lokan	Former State Representative. Supports SB 222A. Expresses concern with the need to spread limited funds to as many beds as possible. Relates housing experiences with her son who is schizophrenic. Recommends housing with at least two bedrooms, and separate space for the care provider. Recommends against bringing in family members that would take away space from the mentally ill.
297	Rep. Cameron	Questions whether housing units reference people or bedrooms.
299	Nikkel	Explains unit applies to a duplex, which might have two bedrooms, but the bill does not get to that level of specificity.
311	Rep. Butler	Requests definition of living unit and whether the term includes a bathroom and kitchen.
331	Nikkel	Confirms a unit is more than just bedrooms.
338	Rep. Butler	Clarifies detailed possibilities based on Nikkel's response.
345	Nikkel	Confirms this bill will allow those options.
350	Rep. Greenlick	Seeks clarification between residential unit and living unit.
355	Nikkel	Reports the bill allows the department flexibility.
366	Chair Dalto	States SB 222A will be before the committee for a work session at the February 23rd meeting. Closes the public hearing on SB 222A. Opens a public hearing on SB 225.

## **SB 225 – PUBLIC HEARING**

- 375 Sandy Thiele-Cirka Administrator. Reviews the history and intent of the bill related to the immunization registry.
- 398 Lorraine Duncan Immunization Program Manager, Office of Family Health, DHS. Supports SB 225. Submits and reviews written testimony (**exhibit d**). Mentions imported cases of diseases such as measles.

### **TAPE 33, B**

- 003 Duncan Continues testimony.
- 010 Rep. Butler Asks what would have happened if the provisions of the bill had been in effect at the time of the measles outbreak on the Oregon State University campus.
- 015 Duncan Explains the school would have had the authority to review records indicating those who were susceptible to the disease.
- 028 Rep. Butler Asks if it would be sufficient for the college to have a waiver on their admissions paperwork.
- 033 Duncan Notes that hasn't been considered by the college.
- 038 Rep. Butler Questions whether their purpose would be accomplished if the university system put a waiver in their application paperwork.
- 045 Duncan Reports she is not qualified to answer that question.
- 046 Rep. Greenlick Asks why only measles and foreign students are being addressed.
- 052 Dr. Paul Cieslak Manager, Communicable Disease Program, DHS. States measles is the only communicable disease reported on Oregon college campuses, and all cases were traced to foreign students.
- 066 Rep. Greenlick Notes other communicable diseases could come from foreign sources as well. Questions whether the department is awaiting an outbreak rather than addressing prevention.

074	Cieslak	Responds if the department does not invest resources unless a disease is detected.
078	Rep. Boone	Comments when traveling to foreign countries, people are required to have immunizations.
080	Cieslak	Explains polio is not a problem in other developed areas of the world, and that while pertussis may be on college campuses, it is not enough of a threat to warrant public action.
093	Chair Dalto	Asks about the outlook for pertussis.
095	Cieslak	Expresses belief that vaccination for pertussis is a bad idea, and that some of the reported cases are not true pertussis. Notes the fiscal impact of requiring vaccinations before the cost of a product is determined.
138	Rep. Butler	Shares concern this topic should be part of immigration rather than legislative process.
175	Rep. Greenlick	Asks if current address is a data piece on the immunization registry.
180	Duncan	Explains yes, but the information is not accessible when the data is shared.
190	Bruce Fitzwater	Christian Science Committee on Publication for Oregon. Opposes SB 225 in its present form, but supports its intent. Submits and reviews written testimony ( <b>exhibit e</b> ). Relates concern about privacy of medical data and the continuance of the ability of persons to purge their own data from databases.
256	Chair Dalto	Questions why the purge provision is being excluded.
257	Fitzwater	Reports he has not received a satisfactory answer from Duncan regarding that. Continues on necessity of protecting privacy. References recommended amendments ( <b>exhibit e, page 2</b> )
317	Rep. Tomei	Asks if a child did not receive an immunization then is the intent that such information not be carried to the university.
330	Fitzwater	



Clarifies any medical data that is not necessary for public health should be allowed to be shared and retracted.

- 370 Rep. Tomei Questions if Fitzwater has any objection to the vaccination card (noting no vaccinations) following the student through the university.
- 374 Fitzwater States he would like the card to say unknown.
- 385 Rep. Tomei Comments if there is a known outbreak, the school would want to know who is unprotected.
- 400 Fitzwater Suggests the school address the person, not the medical data, and that the data state no record is available, and all those so described be removed from the campus.
- 427 Rep. Butler Expresses favor for Fitzwater's approach stating the individual should have primary responsibility to care for themselves. Explains individuals can provide information and could choose to make no declarations whatsoever, but would suffer the consequences of those who don't.

#### **TAPE 34, B**

- 015 Rep. Cameron Asks how that same situation is handled at the elementary level.
- 017 Fitzwater Relates his understanding that a parent or guardian sends a letter to school requesting exemption from the immunization requirements.
- 028 Rep. Cameron Asks if this means they wouldn't show up in the database.
- 029 Fitzwater Responds he doesn't know.
- 030 Rep. Greenlick Comments foreign students should be treated the same as domestic students.
- 043 Chair Dalto States this bill will be explored further with the department.
- 055 Chair Dalto Closes the public hearing on SB 225. Adjourns the meeting at 10:06 a.m.

## **EXHIBIT SUMMARY**

- A. **SB 222A, written testimony, Bob Nikkel, 2 pp**
- B. **SB 222A, written testimony, Angela Kimball, 2 pp**
- C. **SB 222A, written testimony of Bob Joondeph, Rep. Billy Dalto, 1 p**
- D. **SB 225, written testimony, Lorraine Duncan, 2 pp**
- E. **SB 225, written testimony, Bruce Fitzwater, 2 pp**