

HOUSE COMMITTEE ON
HEALTH AND HUMAN SERVICES

February 28, 2005 Hearing Room D

9:15 A.M. Tapes 39 - 40

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

Rep. Tom Butler, Vice-Chair

Rep. Carolyn Tomei, Vice-Chair

Rep. Gordon Anderson

Rep. Deborah Boone

Rep. Kevin Cameron

Rep. Mitch Greenlick

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

Pamella Andersen, Committee Assistant

MEASURES/ISSUES HEARD:

Children of Incarcerated Parents – Informational Meeting

SB 97 – Public Hearing

SB 104 – Public Hearing

SB 224 – 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.

TAPE/# Speaker Comments

TAPE 39, A

004 Vice Chair Butler Calls the meeting to order at 9:15 a.m. Opens the informational meeting on Children of Incarcerated Parents.

children of incarcerated parents – INFORMATIONAL MEETING

014 Max Williams Director, Department of Corrections (DOC). Introduces Cindy Duran. Notes he will address transition from prison and children of incarcerated parents. Provides statistics on prison population.

025 Rep. Butler Asks about recidivism.

027 Williams Reiterates percentages on recidivism. Continues with DOC's goals on community re-integration. Lists projects related to children of incarcerated parents. Elaborates on scope of issue and percentage of children in foster care with a parent in prison. Discusses parent education program, breaking intergenerational cycle of crime, program development grant for the social learning center. Discusses Head Start, Girl Scout, Boy Scout and family literacy programs at Coffee Creek. Mentions program for young mothers at Hillcrest facility. Explains collaborative efforts such as Center for Family Success program in communities with difficulty transitioning people back into society.

192 Rep. Greenlick Asks if there is a link with the nursery in Multnomah County.

193 Williams Responds yes. Provides details of Cindy Duran's experience: spent three years in Coffee Creek; overcame addiction to methamphetamine; has five children; will graduate from Chemeketa Community College on the dean's list.

225 Chair Dalto Asks how budget cutbacks have impacted inmates.

235 Williams Relates the department leverages the volunteer programs. Notes all of the programs mentioned make up less than 2% of the entire DOC budget.

310 Rep. Butler Inquires what the Legislature can do to make a significant difference with DOC's measurable outcomes.

343 Williams Responds intensive alcohol and drug (A&D) treatment is the best investment, as well as assessments of risk factors for developing individual treatment plans.

TAPE 40, A

003 Rep. Tomei Expresses appreciation for Director Williams' focus on corrections rather than punishment.

009 Rep. Boone Notes personal work on child abuse and neglect issues, and states appreciation for focus on prevention rather than only treatment.

026 Rep. Cameron Questions 31 percent return-to-prison rate, and what that number might become once existing programs have been in place awhile.

029 Williams Discusses impacts if there were only a 1 percent reduction in recidivism. Explains that the prison populations have grown, the trend has been holding at around 31 percent; DOC's benchmark is 28 percent.

093 Cindy Duran Relates personal experience as former methamphetamine addict and former inmate at Coffee Creek Correctional Center. Notes she began by living with her grandmother in Mt. Angel, was on the National Honor Society, played sports, completed school in spite of becoming pregnant during her junior year.

150 Duran Continues testimony. Provides personal background. Notes difficulty of being released into an unstructured environment following prison, the dangers in going home to relatives, and her transitional housing experience.

288 Rep. Tomei Asks if Duran was assigned a parole officer upon release, and how she managed her life.

292 Duran Responds a parole officer was assigned after 30 days, but she had a mentor immediately upon release from prison.

319 Rep. Tomei Inquires about consequences to her children relating to her drug use.

328 Duran Lists apparent impacts including the three heart surgeries that might be related.

- 345 Rep. Cameron Asks how Duran had the wisdom to make the difficult decisions following release.
- 355 Duran Responds and explains her training in drug treatment and recovery. Relates being approached upon release by the person who introduced her to methamphetamine use.
- 422 Chair Dalto Requests clarification of her experience with identity theft, and for recommendations on how the legislature can reduce its pervasiveness.
- 443 Duran Recommends greater security at banks; requiring fingerprint identification at stores, and eliminating probation for offenders.

TAPE 39, B

- 007 Rep. Butler Mentions role play during the 2003 session which underscored the impact of budgetary cuts to local programs (housing, jobs, probation officers, counseling). Requests details of mentoring program.
- 045 Duran Explains mentor was employed by Bridgeway under contract with Marion County. Notes process beginning sixty days prior to her release that included phone calls, attending NA meetings, weekly meetings, instruction in drug-free activities, and providing contact information.
- 091 Claudia Black Juvenile Justice Alliance. Asks Duran to explain her parenting methods prior to and after training.
- 092 Duran Explains prior to training she believed good parenting meant you were always with your children, even when involved in unhealthy behaviors. Reports she now believes good parenting involves getting children ready for school, cooking, getting the children to school, being a good role model, playing with them in age-appropriate activities, and giving advice.
- 140 Rep. Tomei Asks about Oxford House.
- 143 Duran Reports Oxford House is a transitional housing program in Salem, and mentors are not volunteers.
- 150 Rep. Anderson Questions Duran's present perspectives toward drug suppliers.

- 155 Duran States she has some animosity toward those selling drugs and neglecting their children, and supports reporting and exposing drug activity.
- 180 Rep. Boone Asks if Duran has any physical residual effects from using methamphetamine.
- 184 Duran Responds dental, memory and asthma problems.
- 233 Chair Dalto Closes the informational meeting on Children of Incarcerated Parents. Opens the public hearing on SB 97.

Sb 97 – PUBLIC HEARING

- 235 Sandy Thiele-Cirka Administrator. Summarizes SB 97 relating to massage licensing.
- 246 Patrick Allen Manager, Office of Regulatory Streamlining. Supports SB 97. Notes this board's licenses are renewed every two years.
- 260 Patty Glenn Executive Director, Oregon Board of Massage Therapists. Supports SB 97. Reports they are reviewing birth-month options.
- 279 Chair Dalto Closes the public hearing on SB 97. Opens the public hearing on SB 104 and SB 224

Sb 104 and sb 224 – PUBLIC HEARING

- 296 Sandy Thiele-Cirka Reviews history of both bills.
- 300 Linda Russell Executive Officer, Oregon Board of Radiologic Technology (OBRT). Supports SB 104. Submits and reviews written testimony (**exhibit a, exhibit b**). Relates intent of the bill, noting the board removed the education portions of the exam, instead requiring technologists meet national standards.
- 358 Ernest Wick Chair, OBRT. Supports SB 104. Elaborates on the need to reduce the number of equipment operators from two to one.
- 371 Chair Dalto Asks if reduction in operators would reduce the cost of the procedure.

375	Wick	Responds affirmatively.
391	Rep. Boone	Asks if separate certifications are required, and if dual certifications will be allowed under SB 104.
399	Wick	Reports bill allows board latitude to monitor education, continuing education and performance criteria.
413	Thomas King	Oregon Society of Radiologic Technologists. Supports SB 104. States as long as this bill requires a person to be certified by the national board, American Registry of Radiologic Technologists (ARRT), they can support it. Comments on the continuing education requirements.
442	Rep. Butler	Questions whether the board has the freedom and oversight necessary to respond to evolving technology.
460	Wick	Currently you have to be ARRT certified to operate certain equipment, precluding other machine operators.

TAPE 40, B

019	Rep. Butler	States the bill appears to reduce the options.
037	Russell	Responds that portion was removed because of redundancy.
048	Rep. Butler	Asks how many people will lose their certification under provisions.
057	Wick	Responds, none.
059	Chair Dalto	Inquires what costs are associated with SB 224, which increases the size of the board.
062	Russell	Reports approximate cost of \$1500, with added benefits.
090	Rep. Butler	Questions the board's process and procedures.
095	Russell	Explains goals.

125	Rep. Butler	Expresses relating to board member representation.
142	Wick	States the intent of the bill is to allow expansion of the types of licensed technologists on the board.
173	Russell	Relates board's wish for one additional public member, and another position for other types of modalities that may arise in the future.
200	Susan Putnam	President, Oregon Society of Radiologic Technology (OSRT). Supports SB 104 and SB 224 as written.
214	Randy Harp	Radiologic Technologist, OSRT. Supports SB 104 and SB 224.
232	Chair Dalto	Closes the public hearing on SB 104 and SB 224. Adjourns the meeting at 11:00 a.m.

EXHIBIT SUMMARY

- A. **SB 104, written testimony, Linda Russell, 2 pp**
- B. **SB 224, written testimony, Linda Russell, 2 pp**

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

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TAPE/#	Speaker	Comments
TAPE 33, A		
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.
023	Rep. Butler	MOTION: Moves HB 2053 to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.
024	Rep. Greenlick	Believes it is a mistake to make the name more complicated.
043		VOTE: 6-0-1
		EXCUSED: 1 – Anderson

Chair Dalto

Hearing no objection, declares the motion CARRIED.

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.
- 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 (exhibit c).
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 (exhibit e). 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 (exhibit e, page 2)
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**