

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

**March 23, 2005 Hearing Room D**

**8:30 A.M. Tapes 67 - 68**

**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:**

**HB 2010 – Public Hearing**

**Presentation by Fight Crime: Invest in Kids, Oregon**

- – **Informational Meeting**

- HB 2058 – Work Session**

- HB 2080 – Work Session**

- HB 2103 – 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.**

**TAPE/#      Speaker                      Comments**

**TAPE 67, A**

004              Chair Dalto                      Calls the meeting to order at 8:30 a.m. Mentions Dr. James Lace's brochures on health assistance to HIV patients in Tanzania (**exhibit f**). Opens the work session on HB 2010.

**HB 2010 – Public Hearing**

024              Sandy Thiele-Cirka      Administrator. Summarizes HB 2010.

045              Speaker Karen Minnis              House District 49. States protection of children is a difficult job, and greater oversight would be helpful to coordinate all responsible parties. Reviews history of development of the bill, noting the goal is to offer constructive suggestions to DHS. Elaborates on the value of an independent office to oversee efforts.

097              Bernie Giusto                      Sheriff, Multnomah County. Submits and reviews testimony in support of HB 2010 (**exhibit a**). States bill is meant to close gaping holes in procedures. Promotes developing further specifics. Reviews his six recommendations on process. Notes value of internal affairs offices.

205              Rep. Greenlick                      Asks if consideration has been given to expanding this concept to other agencies protecting children.

236              Speaker Minnis                      States they would not object to this being expanded. Mentions additional component of complaints being reviewed by more than one party.

248              Giusto                                      Comments any call to the Attorney General's (AG) office gets action, and that office would be able to leverage other action.

262              Rep. Greenlick                      Suggests including the AG office review other agencies and report back to the legislature with a recommendation on scope.

270              Rep. Anderson

Supports oversight that targets programs before problems arise. Asks if county multidisciplinary teams are a parallel approach or a follow-up.

- 301 Giusto Reports the multidisciplinary team model works well for investigation of criminal activity, but was never meant to be proactive in case management.
- 319 Speaker Minnis Mentions difficulty of confidentiality component.
- 343 Rep. Anderson States the need for a resource that penetrates everything so the heart of the matter can be determined.
- 360 Rep. Tomei Questions staffing funding and adequate staff training.
- 382 Speaker Minnis States the fiscal impact will be determined after the policy is in place. Questions how the value of a child's life can be determined.
- 394 Rep. Tomei Asks if staffing will be funded in the AG office, or if a new unit will be developed.
- 397 Speaker Minnis Confirms the staff funding will be with the AG office. Mentions existing positions that may be repositioned to the front lines.
- 417 Giusto Notes necessary training for supervisors so they are free to be involved in supervising case management.
- 445 Chair Dalto States the committee will be taking trips to field offices to review child abuse issues.

#### **TAPE 68, A**

- 002 Rep. Butler States concern regarding top-down-driven management. Questions the scope of the program and how it will be prevented from expanding beyond need.
- 024 Giusto Comments additional resources should be directed toward field-level positions, as the scope of the bill should be about case-management, and to give the public confidence in the process.

043	Rep. Cameron	Provides specific example and asks if it should require a response from an internal affairs office to effect change.
052	Giusto	Responds management's philosophy determines responsiveness to issues that arise, but changes to administrative practices need an outside review.
079	Peter Shepherd	Deputy Attorney General, Department of Justice. States the bill should just be the beginning of the conversation. Offer three suggestions: be very clear on what are perceived key problems in order to craft an effective solution; look at other possible models (mentions New Jersey inspector general model); identify where resources could most effectively be expended (mentions examples).
193	Chair Dalto	Asks if the AG office has experience with or competency on such issues.
196	Shepherd	Responds the department has personnel that help facilitate the flow of information from DHS to law enforcement.
213	Chair Dalto	States feeling the department can cut through some of the barriers to information flow. Asks if an individual inspector general agency would have the same effect.
237	Shepherd	Responds the department doesn't have unique expertise in certain areas mentioned, but does in others, such as the free-flow of information. Notes information flow is something that can get clogged on either end.
280	Chair Dalto	Asks how the two sides can be linked to provide all necessary information for decision-making.
298	Shepherd	States that is unclear and should be part of the legislature's inquiry.
320	Chair Dalto	Asks what role the department has in CERT reviews, and whether it has a position on why these tragedies are occurring.
331	Shepherd	Reports an Assistant Attorney General assists in the CERT review process to legally advise the agency. States the tragedies are due to the high volume of children being abused.
385	Rep. Greenlick	

Inquires if the department has independent authority to step in when aware of abuse, and what brings a case to that level of notice.

397 Shepherd States part of the department mission is to ensure the rule of law is kept. Reports they have tools to bring agencies into compliance. Lists those tools and consequences.

#### **TAPE 67, B**

002 Shepherd Continues response. Notes powers they don't have.

016 Rep. Boone Notes society's lack of trust or hope in the system providing protection. Questions whether having this authority might help identify issues earlier.

041 Shepherd States an independent, autonomous review process that identifies systemic problems would be beneficial.

056 Chair Dalto Closes the public hearing on HB 2010. Opens the informational meeting presentation by Fight Crime: Invest in Kids, Oregon

#### **Fight Crime: invest in kids, oregon – INFORMATIONAL MEETING**

074 Robert Wolfe Sheriff, Polk County. Reviews written testimony and reports submitted by Martha Brooks (**exhibit b**). Notes proposed new limit on federal foster care funds could result in children remaining in dangerous homes, increasing the risk of them becoming violent criminals. Provides specific accounts including personal story to illustrate the need for foster care. Requests resolution be sent to Congress emphasizing the importance of this need.

168 Chair Dalto Asks if Wolfe has sample language for the resolution.

169 Wolfe Offers to provide such.

170 Carla Piluso Chief of Police, City of Gresham. Elaborates on experiences finding neglected children. Provides statistics on abuse and neglect and the percentage of children so treated becoming violent criminals.

271 Martha Brooks State Director, Fight Crime: Invest in Kids Oregon. Reports federal funding commitments may soon be abandoned. Notes increase in

foster care demands in other states following funding cuts. Reviews funding cut details.

354 Raul Ramirez Sheriff, Marion County. Notes professional experience. Addresses possible capping of foster care funding sources. Notes record pace of taking children into foster care in Marion County, many due to methamphetamine use. Notes number of children born with methamphetamine addiction.

#### **TAPE 68, B**

002 Ramirez Continues testimony. Reviews characteristics of methamphetamine addiction that particularly impact children. Mentions the child abuse rally that will take place on the county courthouse steps April 4.

026 Peter Shepherd Deputy Attorney General, Department of Justice. Relates specific case he handled as a prosecutor of a child on the street picked up by a parolee. Supports development of a resolution to Congress.

047 Mickey Lansing Executive Director, Oregon Commission on Children and Families. Lists necessary components in developing healthy children. Notes a relationship with a healthy adult is the one thing most impactful. Mentions need of state funding for an array of services.

106 Chair Dalto Thanks panel. Closes the informational meeting. Asks Rep. Anderson to work with the panel on developing a resolution. Opens the work session on HB 2058.

#### **hb 2058 – WORK SESSION**

144 Sandy Thiele-Cirka Administrator. Summarizes HB 2058. Reviews impact of the -2 amendments (**exhibit c**). Notes the subsequent referral to the Committee on Ways and Means.

169 Rep. Butler **MOTION: Moves to ADOPT -2 amendments dated 03/15/05.**

173 **VOTE: 7-0-0**

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

177 Rep. Butler

**MOTION: Moves HB 2058 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**

185

**VOTE: 7-0-0**

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

**Chair Dalto**

**The motion CARRIES.**

191

Chair Dalto

Closes the work session on HB 2058. Opens the work session on HB 2080.

**hb 2080 – WORK SESSION**

193

Sandy Thiele-Cirka

Administrator. Summarizes HB 2080. Reviews the -1 amendments (**exhibit d**). Notes the Speaker has approved rescinding the subsequent referral to the Judiciary Committee.

213

Chair Dalto

Reports the public concerns with the bill have been resolved with the amendment.

219

Rep. Greenlick

Asks if a standard definition of health clinic exists that should be in the amendment. States a formal definition needs to be created at some time.

258

Rep. Butler

**MOTION: Moves to ADOPT HB 2080-1 amendments dated 03/11/05.**

259

**VOTE: 7-0-0**

**Chair Dalto**

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

263

Rep. Butler

**MOTION: Moves HB 2080 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Judiciary BE RESCINDED.**

273

**VOTE: 7-0-0**

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

**Chair Dalto**                      **The motion CARRIES.**

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

281              Chair Dalto                      Closes the work session on HB 2080. Opens the work session on HB 2103.

**hb 2103 – WORK SESSION**

282              Sandy Thiele-Cirka              Administrator. Summarizes HB 2103. Reviews impact of the -1 amendments (**exhibit e**). Mentions the subsequent referral to the Committee on Ways and Means.

309              Rep. Butler                              Asks if the subsequent referral is because of fee structure.

315              Thiele-Cirka                              Confirms yes, and the Speaker may not rescind the referral.

343              **Rep. Butler**                              **MOTION: Moves to ADOPT HB 2103-1 amendments dated 03/17/05.**

349    **VOTE: 7-0-0**

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

351              **Rep. Butler**                              **MOTION: Moves HB 2103 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**

356    **VOTE: 7-0-0**

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

366              Chair Dalto                              Closes the work session on HB 2103. Mentions upcoming field meetings in Eugene and Baker City. Adjourns the meeting at 10:30 a.m.

**EXHIBIT SUMMARY**



- A. **HB 2010, written testimony, Bernie Giusto, 3 pp**
- B. **Child Welfare, Fight Crime: Invest in Kids Oregon, informational packet, Martha Brooks, 30 pp**
- C. **HB 2058, -2 amendments, staff, 1 p**
- D. **HB 2080, -1 amendments, staff, 1 p**
- E. **HB 2103, -1 amendments, staff, 2 pp**

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

- F. **HB 2706, brochures on nonprofit HIV aid in Tanzania, Rep. Billy Dalto, 4 pp**