

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

**May 09, 2005 Hearing Room D**

**9:30 A.M. Tapes 117 - 118**

**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 3230 –Reconsideration and Work Session**

**SB 430A – 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>
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<b>TAPE 117, A</b>		
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004 Chair Dalto Calls the meeting to order at 9:44 a.m. Opens a public hearing on SB 430A.

**SB 430A – PUBLIC HEARING**

009 Sandy Thiele-Cirka Administrator. Summarizes SB 430A.

022 Grover Simmons Independent Adult Foster Home Association. Submits and reviews written testimony in support of SB 430A (**exhibit a**). Discusses hypothetical illustration of foster home sued and state brought in as a third party defendant. Reviews liability insurance and it's relation to foster homes, noting most liability insurance companies have withdrawn from the Oregon market. Comments the insurance department is working with Lloyds of London.

078 Rep. Butler Inquires if Simmons is addressing all-perils coverage rather than just professional liability insurance.

084 Simmons Replies he is referring to professional liability.

087 Rep. Butler Relates concern of small providers that building insurance costs are doubling and tripling.

098 Simmons Confirms the problem, noting in addition to liability insurance, providers must have homeowners insurance. Continues testimony addressing the need for providers to be better business people, noting the need for bookkeeping training.

108 Rep. Anderson Questions whether the training is just for the owner/provider, or whether the caregivers are included.

110 Simmons Clarifies it is for the providers and resident managers, not employees who are substitute caregivers.

120 Rep. Anderson Inquires whether substitute providers have continuing education.

128 Simmons Confirms, no, as training is expensive.

136 Rep. Anderson Comments brief refresher courses might be helpful.

140	Simmons	Notes a class their association provides that substitute caregivers attend.
144	Rep. Tomei	Comments business education is in the best interests of the provider and the department should not have to require it by law.
152	Simmons	Reports the law already requires ten annual hours of continuing education in hands-on care giving. Provides history of the bill.
205	Simmons	Mentions page two of testimony which lists number of homes in Oregon.
228	Mickey Tate	Adult Foster Home Program Coordinator, Seniors with Disabilities, Department of Human Services (DHS). Testifies in support of SB 430A.
236	Chair Dalto	Inquires on the affect of the training on businesses.
240	Tate	Reports most providers seek more training than required.
243	Chair Dalto	Questions kinds of training offered.
245	Tate	Lists available courses and medical issues providers encounter.
262	May Dasch	Alzheimer's Network of Oregon. Submits and reviews written testimony in opposition to SB 430A ( <b>exhibit b</b> ). Believes all caregivers need continuing education.
280	Chair Dalto	Comments Dasch's objections do not relate to the bill. Recommends the Network develop another bill.
300	Dasch	Expresses concern all caregivers do not fall under the continuing education requirements. Notes second concern of increasing need for training in Alzheimer's care. Recommends administrative rule approach be used rather than statute to address these concerns.
400	Rep. Butler	Requests confirmation caregivers are exempt from workers compensation coverage.
402	Dasch	Confirms that is correct.

- 414 Rep. Tomei Inquires how the Senate Committee responded to her concerns.
- 426 Dasch Reports the Committee listened to their concerns but passed the bill out without much comment. Notes the hearing was held in Sweet Home with many members missing.
- 437 Rep. Tomei Recommends a separate bill to address issues raised.
- 442 Rep. Greenlick States statute already exists which requires Alzheimer's training. Elaborates on the provisions of the bill. Asks Dasch to clarify whether the Network's opposition to the bill is due to its nature, or because they want it to include more.

**TAPE 118, A**

- 011 Dasch States the Network's concern all caregivers be treated equally. Mentions specific sentence which addresses caregivers who are not providers.
- 020 Rep. Greenlick References page 1, lines 9-13, questioning its requirements.
- 026 Dasch States that provision addresses basic training, and the Network's concern is related to continuing education. (NOTE: Dasch and Rep. Greenlick dialogue on this point until 058).
- 058 Chair Dalto Inquires if the Network has asked the Department to provide continuing education for Alzheimer's.
- 060 Dasch Confirms, no. Relates the Network's desire this be addressed in the interim by all parties.
- 071 Chair Dalto Closes the public hearing on SB 430A. Opens reconsideration and a work session on HB 3230.

**HB 3230 –reconsideration and WORK SESSION**

- 074 Chair Dalto Relates the need to reroute HB 3230 to the Committee on Budget.
- 082 Chair Dalto MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING the vote on HB 3230.**

**VOTE: 7-0-0**

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

**086 Chair Dalto MOTION: Moves to RECONSIDER the vote by which Moves HB 3230 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**

**VOTE: 7-0-0**

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

**100 Rep. Tomei MOTION: Moves HB 3230 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED and BE REFERRED to the special committee on Budget.**

**VOTE: 7-0-0**

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

**124 Chair Dalto The motion CARRIES.**

127 Chair Dalto Closes the work session on HB 3230.

128 Chair Dalto Mentions LC 3623 will be considered at the next meeting. Notes it merges all the defibrillators bills and will address Rep. Hass' concerns.

141 Chair Dalto Adjourns the meeting at 10:24 a.m.

### **EXHIBIT SUMMARY**

- A. SB 430A, written testimony, Grover Simmons, 2 pp
- B. SB 430A, written testimony, May Dasch, 2 pp