

HOUSE COMMITTEE ON STATE AND FEDERAL AFFAIRS

July 5, 2005 Hearing Room 357

2:00 P.M. Tape 21

MEMBERS PRESENT: Rep. Rep. Wayne Krieger, Chair

Rep. Rep. Jeff Barker, Vice-Chair

Rep. Rep. Brian Boquist, Vice-Chair

Rep. Rep. Linda Flores

Rep. Rep. Greg Macpherson

STAFF PRESENT: Bill Taylor, Counsel

Louann Rahmig, Committee Assistant

MEASURES/ISSUES HEARD:

SB 806A – Work Session

SB 1025A – Work Session

SB 1050A – 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
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TAPE 21, A

004	Chair Krieger	Calls the meeting to order at 2:07 p.m. and opens a work session on SB 806A.
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SB 806A – WORK SESSION

- 007 Bill Taylor Counsel. Advises that SB 806A was returned to this committee from the floor due to concerns whether the required 180-day notice would apply in order to bring suit. Explains the -5 amendments (**exhibit a**).
- 023 Rep. Macpherson Offers that the amendments address the concern he raised.
- 027 Rep. Macpherson **MOTION: Moves to ADOPT SB 806A-5 amendments dated 7/1/05.**
- VOTE: 5-0-0**
- 031 Chair Krieger **Hearing no objection, declares the motion CARRIED.**
- 032 Rep. Macpherson **MOTION: Moves SB 806A to the floor with a DO PASS AS AMENDED recommendation.**
- VOTE: 5-0-0**
- AYE: In a roll call vote, all members present vote Aye.**
- 037 Chair Krieger **The motion CARRIES.**
- REP. MACPHERSON will lead discussion on the floor.**
- 039 Chair Krieger Closes the work session on SB 806A and opens a work session on SB 1025A.

SB 1025A – WORK SESSION

- 041 Bill Taylor Counsel. Explains SB 1025A which allows the use of an individual's DNA sample or genetic information for anonymous research or coded research, if the individual was deceased when the individual's biological specimen or clinical individually identifiable health information was obtained; requires a health care provider that is a covered entity to inform the individual of the individual's biological specimen or clinical individually identifiable health information being disclosed or retained for the purpose of anonymous or coded research. Refers to the -4 amendments (**exhibit b**) which resolve a misunderstanding among the parties.

056	David Fidanque	Executive Director, American Civil Liberties Union of Oregon (ACLU). States that SB 1025A makes important changes to the Oregon Genetic Privacy Act and improves the notice requirements to Oregonians that their biological specimens and clinical information might be used for genetic research in the future. Explains the new requirement included in SB 1025A that ACLU strongly supports. Expands on what SB 1025A permits. Offers that SB 1025A provides for a great amount of flexibility for the Department of Human Services to adopt rules for implementation of the notice for providers. States that the -4 amendments are a technical “fix” for a portion of the A-engrossed SB 1025 and all parties are in agreement.
095	Betsy Earls	Kaiser Permanente. Testifies in support of SB 1025A and the -4 amendments.
103	Bob Duehmig	Oregon Health and Science University. Testifies in support of SB 1025A.
112	Taylor	Asks for an explanation of the problems being corrected.
115	Earls	Points to the A-engrossed SB 1025 and the -4 amendments and explains the changes.
149	Bruce Bishop	Oregon Association of Hospitals and Health Systems. Testifies on behalf of Gwen Dayton, interim president of the Association and one of the co-chairs of the Advisory Committee on Genetic Privacy and Research, who was asked to furnish copies of their <i>2005 Report to the Legislature</i> (EXHIBIT C).
167	Rep. Boquist	MOTION: Moves to ADOPT SB 1025A-4 amendments dated 7/1/05. VOTE: 5-0-0
170	Chair Krieger	Hearing no objection, declares the motion CARRIED.
171	Rep. Boquist	MOTION: Moves SB 1025A to the floor with a DO PASS AS AMENDED recommendation. VOTE: 5-0-0 AYE: In a roll call vote, all members present vote Aye.

177	Chair Krieger	<p>The motion CARRIES.</p> <p>REP. BOQUIST will lead discussion on the floor.</p>
184	Chair Krieger	Closes the work session on SB 1025A and opens a work session on SB 1050A.

SB 1050A – WORK SESSION

186	Bill Taylor	Counsel. Explains SB 1050A which modifies the eligibility for child support requirements for a child attending school that is 18 years of age or older and under age 21; requires a child to make satisfactory academic progress as defined by the school rather than maintain a “C” average but allows parental access to child’s academic records so long as access is consistent with state and federal law requirements concerning disclosure of student records; defines regularly scheduled breaks.
204	Rep. Macpherson	Asks about another bill and if SB 1050A supersedes it.
209	Taylor	Explains that the other bill has not moved out of committee, and this bill would supersede as it relates to the “C” average.
220	Rep. Macpherson	Asks if there is a child support obligation at age 21 or older.
223	Taylor	Answers no.
224	Rep. Barker	Provides an example. Raises a concern that a child could be denied support in his/her senior year.
233	Taylor	Responds that if neither bill passes, that could happen.
241	Shani Fuller	Child Support Program, Department of Justice. Testifies and submits written testimony in support of SB 1050A (EXHIBIT D). Refers to HB 2499 which proposed to remove the “C” average requirement. Continues that SB 1050A removes the “C” average requirement and replaces it with the requirement to maintain satisfactory academic performance, as defined by educational institutions for federal loan purposes.
257	Rep. Barker	Observes the child could be attending school but receiving failing grades.

267	Fuller	Offers that “satisfactory academic performance” is usually a term that would discontinue a child from going to school.
273	Rep. Barker	Inquires about legislative intent.
276	Taylor	Reads the criteria from SB 1050A. Describes a situation of possible satisfactory academic progress.
307	Rep. Boquist	MOTION: Moves SB 1050A to the floor with a DO PASS recommendation.
		VOTE: 5-0-0
		AYE: In a roll call vote, all members present vote Aye.
315	Chair Krieger	The motion CARRIES.
		REP. BARKER will lead discussion on the floor.
318	Chair Krieger	Closes the work session on SB 1050A and adjourns the meeting at 2:30 p.m.

EXHIBIT SUMMARY

- A. SB 806, A5 amendments, staff, 4 pp
- B. SB 1025, A4 amendments, staff, 4 pp
- C. SB 1025, written report, Bruce Bishop, 19 pp
- D. SB 1050, written testimony, Shani Fuller, 4 pp