

SENATE COMMITTEE ON HEALTH POLICY

February 09, 2005
1:00 P.M.

Hearing Room B
Tapes 12 - 13

MEMBERS PRESENT: Sen. Laurie Monnes Anderson, Chair
Sen. Jeff Kruse, Vice-Chair
Sen. Peter Courtney
Sen. Gary George
Sen. Bill Morrisette

STAFF PRESENT: Rick Berkobien, Committee Administrator
Brittany Kenison, Committee Assistant

MEASURES/ISSUES HEARD:
Introduction of Committee Measures – Work Session
Healthcare Cost Containment Bills – Informational Meeting
SB 450 – Public Hearing
SB 407 - 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 12, A		
003	Chair Monnes Anderson	Calls meeting to order at 1:04 p.m. Opens work session for introduction of committee measures.
<u>INTRODUCTION OF COMMITTEE MEASURES – WORK SESSION</u>		
004	Rick Berkobien	Committee Administrator. Introduces LC 1154 (EXHIBIT A), LC 1156 (EXHIBIT B), LC 1157 (EXHIBIT C), LC 1807 (EXHIBIT D), LC 2335 (EXHIBIT E).
005	Sen. Kruse	MOTION: Moves LC's: 1154, 1156, 1157, 1807, 2335 BE INTRODUCED as committee bills.
015	Chair Monnes Anderson	VOTE: 5-0-0 Hearing no objection, declares the motion CARRIED.
025	Chair Monnes Anderson	Closes work session on introduction of committee measures and opens public hearing on SB 450.
<u>HEALTHCARE COST CONTAINMENT BILLS – INFORMATIONAL MEETING</u>		
040	Chair Monnes Anderson	Comments on press conference of cost containment bills and notes dates of related testimony and bills.
070	Chair Monnes Anderson	Closes informational meeting on healthcare cost containment bills and opens public hearing on SB 450.
<u>SB 450 – PUBLIC HEARING</u>		
075	Martin Taylor	Director, Health Policy and Government Relations, Oregon Nurses Association. Presents and submits informational packet on preventing wrongful surgeries in support of SB 450 (EXHIBIT F). Provides background of bill.
085	Sarah Breckenridge	Manager-Surgical Services, Providence hospital, Newberg Oregon. Explains procedure when patient has a surgery and the duties of nurses.
130	Dagmar Rockstroh	Registered Nurse. Speaks about experience starting out a

		technician. Adds that she later went back to school for nursing.
165	Sen. Morrisette	Explains the difference between the two jobs.
175	Rockstroh	Asks where the majority of nursing experience came from.
		Explains that the educational part comes from nursing school,
190	Sen. Morrisette	and believes it to be crucial part for the focus her job.
		Clarifies that experience comes from both school and in the
200	Rockstroh	operating room to receive instruction from the surgeon.
		Clarifies that surgeon and nurse work together in the operating
205	Sen. Morrisette	room.
210	Breckenridge	Refers to line five of the bill. Asks for clarification.
		Clarifies. Explains that nurses create an individual plan of care
		for each patient. Adds that it is not the job of the physician, they
250	Chair Monnes	are concentrating on the procedure.
	Anderson	Refers to line 11 of the bill where it notes that the circulating
		nurse is to remain in the operating room. Asks if nurses may
255	Breckenridge	leave if they need something.
		Answers that yes, they can leave related to the procedure.
		Clarifies that duration means from the time patient enters the
260	Chair Monnes	operating room until they leave.
	Anderson	Reviews line 11 again and notes her interpretation.
265	Breckenridge	
275	Taylor	Clarifies intent of bill.
285	Sen. Kruse	Clarifies that circulating nurses can leave.
		Asks for the difference between a circulating and supervisory
288	Breckenridge	nurse.
305	Sen. Kruse	Provides duties of each position.
		Clarifies that supervisory nurse does not have to be in the
306	Breckenridge	operating room during the duration of the procedure.
310	Sen. Kruse	Affirms.
		Clarifies that a supervisory nurse could be assigned to a surgery
315	Breckenridge	and not be near the hospital.
		Clarifies that supervisory nurse is assigned to a team and that
320	Sen. Kruse	they would never have assignment if they are gone.
322	Breckenridge	Clarifies that supervisory nurse is assigned during their shift.
325	Sen. Morrisette	Affirms.
		Asks if there is anything in the bill that would prevent a
330	Breckenridge	technician from being a second circulator.
335	Deborah Turner	Answers no.
		Association of Surgical Technologists. Testifies in support of SB
		450. Expresses concern of experience of a surgical nurse.
365	Breckenridge	Requests to oversee qualifications of this new position.
		Explains that hospitals are required to set standards for proper
		training. Explains how it is difficult to set timeline. Expresses
405	Sen. Morrisette	need to access individual nurses and to set learning levels.
		Asks what it means to be experienced and if it includes schooling
415	Taylor	and/or experience.
		States that hospitals in Oregon have been responsible in hiring
		experienced nurses.
TAPE 13, A		
005	Sen. Kruse	Comments that proper wording is needed for the bill. Comments
		on the new ambulatory surgical centers and how the bill may
		impact them. Asks if circulatory nurse needs be present at center
		and addresses needs to be clear when it comes to actually
		surgery.

020	Breckenridge	Comments on different evasive procedures and different sedations.
025	Taylor	Comments on the clarity that the bill will provide.
040	Sen. Kruse	Comments that bill is not clear enough for him.
045	Martin	Clarifies duties for circulatory nurse to prevent surgery error.
070	Sen. Morrisette	Comments on personal surgery and importance of preventing surgery error.
080	Jo Bell	Director, Legislative Support Services for the Oregon Association. Submits and presents written testimony for SB 450 without a stated position (EXHIBIT G). Discusses how current procedures are similar to what is outlined in SB 450.
100	Bell	Discusses concerns about SB 450.
155	Bell	Summarizes and concludes.
160	Scott Gallant	Director of Government Affairs for the Oregon Medical Association. Submits and presents written testimony in support of SB 450 (EXHIBIT H). Comments that many concerns are similar to Bell's. Discusses concerns.
205	Gallant	Summarizes and concludes.
210	Sen. Morrisette	Asks to explain the federal standards for the Joint Commission to the Accreditation on Healthcare Organizations (JCAHO).
215	Gallant	Affirms that JCAHO operators under federal standards.
248	Sen. Morrisette	Asks to define JCAHO.
250	Bell	Explains that it stands for the Joint Commission to the Accreditation on Healthcare Organizations (JCAHO).
255	Sen. Morrisette	Clarifies that Gallant is suggesting using the federal standards for the bill.
260	Gallant	Affirms. Explains that most hospitals are JCAHO certified.
270	Chair Monnes Anderson	Notes that she will not hold work session and advises that parties get together to clarify bill.
280	Sen. Kruse	Requests that a circulating nurse be defined as well as surgery, major or minor in the bill.
290	Chair Monnes Anderson	Requests that the impact on ambulatory surgical centers should be included in the bill as well.
295	Sen. Morrisette	Comments that he would like the experience of a circulating nurse to be defined.
300	Chair Monnes Anderson	Closes the public hearing on SB 450 and opens public hearing on SB 407.
<u>SB 407 – PUBLIC HEARING</u>		
305	Rick Berkobien	Committee Administrator. Explains bill.
315	Damiana Merryweather	Oregon Psychological Association. Introduces herself.
320	David Wade	Oregon Psychological Association. Introduces himself and submits written testimony in support of SB 407 (EXHIBIT I). Also submits report on "Evaluation of the Psychopharmacology Demonstration Project: A Retrospective Analysis" (EXHIBIT J), an article on "Psychology's First Prescribes" written by Melissa Dittmann (EXHIBIT K) and a report conducted by the Department of Defense on "Prescribing Psychologists" (EXHIBIT L).
340	Paul Feldman	Oregon Psychological Association. Introduces himself.
350	Wade	Begins discussing support of SB 407.
410	Wade	Continues to discuss points of support for SB 407.
TAPE 12, B		
020	Wade	Continues to discuss issues that would be solved by SB 407.

030	Sen. David Nelson	Senate District #29. Testifies in support of bill. Explains current issues and the importance getting patients the right treatment.
045	Sen. Morrisette	Comments that he did introduce a bill regarding children and regulating medications.
060	Wade	Continues to discuss support of SB 407.
110	Wade	Continues to give reason of support for SB 407.
170	Sen. Kruse	Refers to the bill. Asks to clarify where to standardize listed comes from.
175	Robert Julien	Licensed physician, Lake Oswego, Oregon. Submits and presents written testimony in support of SB 407 (EXHIBIT M) .
185	Sen. Kruse	Asks who will be supervising the prescribing psychologists.
190	Julien	Answers by a physician.
195	Sen. Kruse	Refers to section 2, subsection 4 and to page 2 line 13. Questions the authority being taken away from the Board of Psychological Examiners.
215	Wade	Clarifies duties of authority Board of Psychological Examiners.
220	Sen. Kruse	Comments that the bill will be taking away authority from Board of Psychological Examiners.
225	Berkobien	Asks if there have been reports from New Mexico's program.
228	Julien	Answers that there has not been yet, or from Louisiana
235	Merryweather	Comments that they have requested amendments for lines 2 and 3.
248	Wade	Comments that as a psychiatrist, he has to work with patients on medications. Adds that this bill would help them help their patients.
270	Angela Kimble	Association of Oregon Community Mental Health Programs. Testifies in opposition to SB 407. Expresses concern of directors within different counties and conveys responses.
310	Kimble	Summarizes and concludes.
315	John McCulley	Oregon Psychiatric Association. Submits and presents testimony in opposition to SB 407 (EXHIBIT N) .
365	McCulley	Refers to chart in testimony of training.
375	Sen. Morrisette	Asks who can presently prescribe medications and what kind of training they have
380	McCulley	Clarifies who can prescribe medications and what medical training is involved.
410	Sen. Morrisette	Asks if McCulley's answer was from chart in testimony.
415	McCulley	Answers that it was not and defers to Teresa Shelby to clarify answer.
420	Teresa Shelby	Representative, Oregon Psychiatric Association. Clarifies medical training for physicians.
TAPE 13, B		
010	McCulley	Discusses the issue of access.
030	McCulley	Summarizes and concludes.
040	Sen. Morrisette	Notes concern that doctors don't take time to concur with psychologist before prescribing medications.
050	Shelby	Testifies in opposition to SB 407 and expresses concern.
100	Shelby	Continues to provide reasons for opposition.
115	Robert McKelvey	MD, Oregon Psychiatric Association. Testifies in opposition to SB 407.
165	McKelvey	Continues to discuss reasons of opposition.
195	McKelvey	Summarizes and concludes.
210	Sen. Morrisette	Asks about continuing education for primary care physicians.
213	McKelvey	Answers common problems that he addresses in conferences

		around the state. Also adds comment on psychologists' lack of training.
235	Sen. Morrisette	Comments on the need to draft a bill to make certain schooling mandatory.
240	Tom Dodson	MD, private practice. Testifies in opposition to SB 407.
290	Dodson	Continues to give reason for opposition to SB 407.
330	Chair Monnes Anderson	Comments that other witnesses will have another opportunity to testify. Addresses need for clarity in the bill.
360	Sen. Morrisette	Comments on continual medical training.
The following was submitted without public testimony:		
	Kathleen Haley	Executive Director, Board of Medical Examiners. Submits testimony in opposition to SB 407 (EXHIBIT O) .
365	Chair Monnes Anderson	Closes public hearing on SB 407. Adjourns meeting at 2:50 p.m.

EXHIBIT SUMMARY

- A. Introductions, LC 1154, staff, 1 p**
- B. Introductions, LC 1156, staff, 2 pp**
- C. Introductions, LC 1157, staff, 1 p**
- D. Introductions, LC 1807, staff, 8 pp**
- E. Introductions, LC 2335, staff, 7 pp**
- F. SB 450, informational packet, Martin Taylor, 4 pp**
- G. SB 450, written testimony, Jo Bell, 2 pp**
- H. SB 450, written testimony, Scott Gallant, 1 p**
- I. SB 407, written testimony, David Wade, 2 pp**
- J. SB 407, report David Wade, 6 pp**
- K. SB 407, article, David Wade, 4 pp**
- L. SB 407, report David Wade, 11 pp**
- M. SB 407, written testimony, Robert Julien, 2 pp**
- N. SB 407, written testimony, John McCulley, 12 pp**
- O. SB 407, written testimony, Kathleen Haley, 2 pp**