

## SENATE COMMITTEE ON HEALTH POLICY

March 16, 2005  
1:00 P.M.

Hearing Room B  
Tapes 41 - 42

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

**MEMBER EXCUSED:** Sen. Gary George

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

**MEASURES/ISSUES HEARD:**

SB 601 – Public Hearing  
SB 883 – Public Hearing  
SB 510 – Public Hearing and Work Session  
SB 617 – Public Hearing and Work Session  
SB 819 – Public Hearing

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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.

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TAPE/#	Speaker	Comments
<b>TAPE 41, A</b>		
005	Chair Monnes Anderson	Calls the meeting to order at 1:16 p.m. Opens public hearing on SB 601. Opens a subcommittee.
<b><u>SB 601 - PUBLIC HEARING</u></b>		
020	Rick Berkobein	Committee Administrator. Explains the bill.
025	Sen. Morrisette	Comments that he will be leaving for another work session later.
030	Sen. Alan Bates	Senate District 3. Testifies in support of SB 601.
055	Sen. Courtney	Asks if the bill will affect the 1145 program.
057	Sen. Bates	Explains how it affects the 1145 program.
060	Chair Monnes Anderson	Asks Sen. Bates to explain the 1145 program.
061	Sen. Bates	Explains the 1145 program.
075	Sen. Courtney	Notes that the 1145 program was passed in the 1995 session. Provides further explanation.
080	Sen. Bates	Also points out the benefits inmates lose in the prison system.
083	Chair Monnes Anderson	Asks for Sen. Bates to define the differences between hospitals.
085	Sen. Bates	Answers that it varies from hospital to hospital.
100	Paul Snyder	Association of Oregon Counties. Testifies in support of SB 601.
120	Chair Monnes Anderson	Enters in to a full committee.
125	Bruce Bishop	Oregon Association of Hospitals and Health Systems (OAHHS). Submits and presents written testimony in opposition to SB 601 <b>(EXHIBIT A)</b> .
175	Bishop	Continues to review testimony in opposition to SB 601.
210	Sen. Ben Westlund	Senate District 27. Testifies in support of SB 601.

255	Sen. Courtney	Refers to EXHIBIT A and asks for Sen. Westlund to respond.
257	Sen. Westlund	Responds and adds that he would be willing to work with Bishop on amendments.
275	Chair Monnes Anderson	States that she will not hold a work session until amendments are agreed upon.
280	Sen. Westlund	States that he appreciates the Chair's comments.
290	Chair Monnes Anderson	Closes public hearing on SB 601 and opens a public hearing on SB 883.
<b><u>SB 883 – PUBLIC HEARING</u></b>		
299	Rick Berkobien	Committee Administrator. Introduces the -1 amendments for SB 883 ( <b>EXHIBIT B</b> ).
300	Sen. Ben Westlund	Senate District 27. Testifies in support of SB 883.
335	Barney Speight	Director, Office of Medical Assistance Programs (OMAP), Oregon Department of Human Services. Testifies with a neutral position on SB 883.
385	Speight	Continues discussing information regarding SB 883.
425	Speight	Continues discussing information regarding SB 883.
<b>TAPE 42, A</b>		
020	Speight	Continues discussing information regarding SB 883.
030	Chair Monnes Anderson	Explains why she created the bill and the incentives.
040	Speight	Discusses background on paper claims and goals to lower the amount of paper claims received.
055	Chair Monnes Anderson	Comments that she is looking forward to working on this issue.
060	Sen. Westlund	Comments on the cash flow issue with facilities not receiving timely payments.
070	Bruce Bishop	Oregon Association of Hospitals and Health Systems (OAHHS). Testifies in support of the bill's idea. States concerns that need to be addressed with amendments.
105	Chair Monnes Anderson	Closes the public hearing on SB 883 and opens a public hearing of SB 510.
<b><u>SB 510 – PUBLIC HEARING</u></b>		
130	Rick Berkobien	Committee Administrator. Explains the bill and introduces the -1 amendments for SB 510 ( <b>EXHIBIT C</b> ).
150	Jim Carlson	Oregon Health Care Association. Submits and presents slide presentation on Licensing Moratorium Extension ( <b>EXHIBIT D</b> ).
200	Carlson	Continues to review testimony in support of SB 510 with the -1 amendments.
250	Carlson	Continues to review testimony in support of SB 510 with the -1 amendments.
290	Chair Monnes Anderson	Comments on personal experience of having a family member in a nursing home.
300	Berkobien	Asks if there has been a shortage of facilities to meet special health conditions.
310	Carlson	Explains using the Alzheimer's population as an example.
340	Sen. Morrisette	Asks if they will have to go through the Certificate of Need (CON) process.
343	Carlson	Comments on previous discussions of whether CON was considered.
355	Sen. Morrisette	Re-clarifies question.
360	Carlson	Answers re-clarification.
363	Sen. Kruse	Notes that the CON has been responsible.
370	Carlson	Comments on the CON process. Also states that -1 amendments

		are necessary to address the pipeline issue.
<b>The following material is submitted for the record without public testimony:</b>		
	James Toews	Assistant Director, Seniors and People with Disabilities, Oregon Department of Human Services. Submits written testimony in support of SB 510 with the -1 amendments <b>(EXHIBIT E)</b> .
	Bob Repine	Director, Oregon Housing and Community Services. Submits written testimony in support of SB 510 <b>(EXHIBIT F)</b> .
375	Chair Monnes Anderson	Closes the public hearing and opens a work session on SB 510.
<b><u>SB 510 – WORK SESSION</u></b>		
380	Sen. Kruse	<b>MOTION: Moves to ADOPT SB 510 -1 amendments dated 3/9/05.</b>
		<b>VOTE: 3-0-2</b>
		<b>EXCUSED: 2 – Sen. Courtney, Sen. George</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
390	Chair Monnes Anderson Sen. Kruse	<b>MOTION: Moves SB 510A to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 3-0-2</b>
		<b>EXCUSED: 2 - Sen. Courtney, Sen. George</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. BATES will lead discussion on the floor.</b>
408	Chair Monnes Anderson	Closes the work session on SB 510 and opens a public hearing on SB 617.
<b><u>SB 617 – PUBLIC HEARING</u></b>		
435	Jim Anderson	Oregon Chapter, American College of Emergency Physicians (OCEP). Submits and presents written testimony in support of SB 617 <b>(EXHIBIT G)</b> .
<b>TAPE 41, B</b>		
010	Chair Monnes Anderson	Asks to explain Health Insurance Association of America (HIAA).
011	Anderson	Explains HIAA. Explains that it is now called America’s Health Insurance Plans (AHIP).
015	Sen. Kruse	Asks if the concerns have been resolved and how.
017	Anderson	Explains that the issue was creating a mandate and the issue has been resolved.
027	Sen. Kruse	Asks question relating to time involved.
028	Anderson	Answers, since 1997.
030	Chair Monnes Anderson	Closes the public hearing and opens a work session on SB 617.
<b><u>SB 617 – WORK SESSION</u></b>		
032	Sen. Kruse	<b>MOTION: Moves SB 617 to the floor with a DO PASS recommendation.</b>
035	Sen. Morrisette	Comments on appreciation for support on the bill.
045		<b>VOTE: 3-0-2</b>
	Chair Morrisette	<b>EXCUSED: 2 - Sen. Courtney, Sen. George</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. COURTNEY will lead discussion on the floor.</b>
048	Chair Monnes Anderson	Closes work session on SB 617 and opens a public hearing on SB 819.
<b><u>SB 819 – PUBLIC HEARING</u></b>		
055	Tim Nesbitt	Oregon American Federation of Labor-Congress of Industrial

110	Sen. Morrisette	Organizations. Testifies in support of SB 819.
115	Nesbitt	Comments on an employee owned grocery store and an employee owned hardware home shopping chain in Oregon. Comments on Winco. Remarks that he is not familiar with Bi-mart.
123	Sen. Morrisette	Comments on employee owned businesses.
135	Sen. Alan Bates	Senate District 3. Testifies in support of SB 819.
185	Sen. Morrisette	Clarifies number of employees in the bill.
187	Sen. Bates	States that it is 25 or more employees, but may reconsider a lower number of employees. Provides further explanation.
192	Sen. Morrisette	Comments on additional criteria that could be established.
205	Sen. Bates	Discusses Sen. Morrisette's recommendations.
215	Chair Monnes Anderson	Asks if he knows how many patients on the Oregon Health Plan (OHP) are working or not working.
220	Sen. Bates	States that he does not know. Speculates.
225	Chair Monnes Anderson	Comments on tracking information of where OHP patients work.
230	Sen. Bates	Speculates what information OHP tracks.
235	Chair Monnes Anderson	Comments that patients have to prove with pay stubs to be eligible for the OHP.
236	Sen. Bates	Comments relating to tracking data.
240	Sen. Kruse	Explains the Georgia program. Asks if he has data from the Georgia program.
245	Sen. Bates	States that he does not. Discusses other states with similar programs.
250	Sen. Kruse	Comments if the program is going to be considered it is important to look at other state's data.
260	Sen. Bates	Agrees with statement.
267	Sen. Ben Westlund	Senate District 27. Testifies in support of SB 819. Offers to return information to the committee about Georgia.
315	Patty O'Sullivan	Legislative Director, Oregon Department of Human Services. Testifies in opposition to SB 819.
338	Chair Monnes Anderson	Asks about the information that Oregon Medical Assistance Program (OMAP) has.
340	O'Sullivan	Explains OMAP current procedures and explains how it would be difficult to retrieve the information as it is on an application and not in a database.
355	Chair Monnes Anderson	Asks who would be the contact at OMAP to verify all of the information that is put in the database.
358	O'Sullivan	Answers that she will retrieve that information.
362	Chair Monnes Anderson	States that she would like the clarification if employers are included.
364	O'Sullivan	States that she knows the information is not included.
367	Sen. Kruse	Comments on the focus of the bill.
376	O'Sullivan	States that they have concerns about Health Insurance Portability and Accountability Act (HIPAA) requirements.
383	J.L. Wilson	National Federation of Independent Businesses (NFIB). Testifies in opposition to SB 519.
420	J.L. Wilson	Discusses reasons for opposition to SB 819.
435	Lisa Trussell	Association of Oregon Industries (AOI). Testifies in opposition to SB 819.

**TAPE 42, B**

020	Sen. Kruse	Comments on Trussell's concern.
030	Sen. Morrisette	Comments that the bill needs to be much more specific.

**EXHIBIT SUMMARY**

- A. SB 601, written testimony, Bruce Bishop, 2 pp**
- B. SB 883, proposed -1 amendments, staff, 1 p**
- C. SB 510, proposed -1 amendments, staff, 1 p**
- D. SB 510, PowerPoint presentation, Jim Carlson, 11 pp**
- E. SB 510, written testimony, James Toews, 1 p**
- F. SB 510, written testimony, Bob Repine, 1 pp**
- G. SB 617, written testimony, Jim Anderson,**