

## SENATE COMMITTEE ON HEALTH POLICY

April 06, 2005  
1:00 P.M.

Hearing Room B  
Tapes 53 - 54

**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:**

SB 541 – Public Hearing  
SB 675 – Public Hearing and Work Session  
SB 824 – Public Hearing and Work Session  
SB 490 – Public Hearing and Work Session  
SB 618 – Public Hearing  
SB 936 – Public Hearing  
SB 962 – 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 53, A</b>		
003	Chair Monnes Anderson	Calls the meeting to order at 1:04 p.m. Opens a public hearing on SB 541.
<b><u>SB 541 – PUBLIC HEARING</u></b>		
020	Sen. Frank Morse	Senate District 8. Introduces the -1 amendments to SB 541 ( <b>EXHIBIT A</b> ). Submits and presents written testimony in support of SB 541 with the -1 amendments ( <b>EXHIBIT B</b> ). Submits written testimony on behalf of Duncan Wyse, President, Oregon Business Council, in support of SB 541 ( <b>EXHIBIT C</b> ) and Luis Machuca, Chief Executive Officer, Kryptiq Corporation, in support of SB 541 with the -1 amendments ( <b>EXHIBIT D</b> ).
040	Judy Pettit	M.D. Internal Physician. Chair, Providence Portland Medical Center Internal Medicine Residency. Submits and presents a report entitled "Electronic Health Records and Data Connectivity" ( <b>EXHIBIT E</b> ) in support of SB 541.
120	Chair Monnes Anderson	Asks Pettit to address the -1 amendments to SB 541.
122	Sen. Morse	Responds.
124	Bruce Goldberg	Administrator, Office of Oregon Health Policy and Research, Oregon Department of Human Services (DHS). Testifies in support of SB 541.
135	Chair Monnes Anderson	Asks Goldberg to also explain the -1 amendments to SB 541.
140	Goldberg	Responds.

170	Chair Monnes Anderson	Asks if there would be a fiscal impact from SB 541 and the -1 amendments.
171	Sen. Morse	Answers, no. Elaborates.
184	Chair Monnes Anderson	Asks Sen. Morse for verification that SB 541 may not need the referral to the Ways and Means committee.
187	Sen. Morse	Defers to the leadership of the Senate. Provides speculation.
193	Chair Monnes Anderson	Asks to clarify that the Office of Oregon Health Policy and Research will not need the Ways and Means committee to address reallocation of funds.
195	Goldberg	Answers, yes. Elaborates.
202	Sen. Morrisette	Asks if he is familiar with the Leapfrog program.
203	Sen. Morse	Responds, yes.
204	Sen. Morrisette	Comments on the grant that the Leapfrog program received.
209	Goldberg	Comments on the intent of the bill.
215	Sen. George	Comments on provisions of the informational system. Asks if there is a way to capitalize on the informational system once it is created.
227	Sen. Morse	Comments on the need for standards for transferability. Defers to expert.
243	Catherine Britain	(Note: This witness testified via video conference) Chair, Telehealth Alliance of Oregon. Submits and presents written testimony in support of SB 541 <b>(EXHIBIT F)</b> .
306	Chair Monnes Anderson	Comments on letters, EXHIBIT C and EXHIBIT D submitted by Sen. Frank Morse.
312	Bruce Bishop	Oregon Association of Hospitals and Health Systems. Testifies in support of SB 541 with the -1 amendments.
345	Chair Monnes Anderson	Closes the public hearing on SB 541 and opens a public hearing on SB 675.

**SB 675 – PUBLIC HEARING**

355 Sen. Richard Devlin  
**TAPE 54, A**

020	Chair Monnes Anderson	Senate District 19. Testifies in support of SB 675.
021	Devlin	Asks Sen. Devlin if he has met with Bruce Goldberg, Office of Oregon Health Policy and Research, Oregon Department of Human Services (DHS).
022	Chair Monnes Anderson	Answers, yes.
032	Sen. Devlin	Asks for the response from the department.
033	Sen. Kruse	Responds.
040	Mel Kohn	Comments on intent of the bill.
058	Sen. Morrisette	State Epidemiologist, Oregon DHS. Testifies in support of SB 675.
068	Sen. Courtney	Comments on appropriate proposals from the Health Policy Commission. Adds that local agencies need to work together.
070	Delvin	Asks Sen. Delvin to define the word “childhood.”
073	Sen. Courtney	Responds.
080	Sen. George	Refers to the age range in the bill.
083	Chair Monnes Anderson	Refers to page two (2), line four (4) of SB 675. Comments on the intent of the bill.
		Closes the public hearing and opens a work session on SB 675

**SB 675 – WORK SESSION**

**088 Sen. Kruse**

**MOTION: Moves SB 675 to the floor with a DO PASS recommendation.**

090	Sen. Kruse	Comments on Sen. Courtney’s concerns about the age range.
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094	Sen. Morrisette	Believes that the age range used in the bill is appropriate.
095	Sen. Melvin	Comments on using age fifteen (15) in the bill.
105		Addresses concerns of the age range.
	<b>Chair Monnes Anderson</b>	<b>VOTE: 5-0-0</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. MONNES ANDERSON will lead discussion on the floor.</b>
110	Chair Monnes Anderson	Closes the work session on SB 675 and opens a public hearing on SB 824.
	<b><u>SB 824 – PUBLIC HEARING</u></b>	
115	Rick Berkobien	Committee Administrator. Explains SB 824 and introduces the -1 amendments <b>(EXHIBIT G)</b> .
125	Chair Monnes Anderson	Seeing no witnesses, closes the public hearing and opens a work session on SB 824.
	<b><u>SB 824 – WORK SESSION</u></b>	
128	Sen. Morrisette	<b>MOTION: Moves to ADOPT SB 824-1 amendments dated 4/5/05.</b>
	<b>Chair Monnes Anderson</b>	<b>VOTE: 5-0-0</b> <b>Hearing no objection, declares the motion CARRIED.</b>
130	Sen. Morrisette	<b>MOTION: Moves SB 824 to the floor with a DO PASS AS AMENDED recommendation.</b>
136	Sen. Kruse	States why he is in opposition to SB 824.
143	Chair Monnes Anderson	Introduces letter from Barney Speight, Administrator, Office of Medical Assistance Program (OMAP) in regarding SB 824 <b>(EXHIBIT H)</b> .
180	Sen. Kruse	Comments on other premium assistance programs.
190	Sen. Courtney	Comments on how the Human Resource committee during the 2003-2004 interim.
200		<b>VOTE: 4-1-0</b> <b>AYE: 4 - George, Morrisette, President Courtney, Monnes Anderson</b> <b>NAY: 1 - Kruse</b> <b>The motion CARRIES.</b> <b>SEN. SHIELDS will lead discussion on the floor.</b>
210	Chair Monnes Anderson	Closes the work session on SB 824 and opens a public hearing on SB 490.
	<b><u>SB 490 – PUBLIC HEARING</u></b>	
	Rick Berkobien	Committee Administrator. Introduces the -1 amendments to SB 490 <b>(EXHIBIT I)</b> .
225	Tom Holt	Executive Director, Oregon State Board of Pharmacy. Testifies in support of SB 490 with the -1 amendments.
293	Sen. Kruse	Asks what could happen to patients who do not have a primary care provider.
297	Holt	Responds.
301	Sen. Kruse	Discusses vaccines and immunizations.
314	Holt	Explains the immunization register that Pharmacists have to use for patients under the age of eighteen (18).
318	Sen. George	Asks if there is a need for a parent to approve a vaccine for children under the age of eighteen (18).
320	Holt	Answers, no.

323	Chair Monnes Anderson	Verifies that patients fifteen (15) years of age and older do not need consent.
328	James Lace	Pediatrician. Oregon Medical Association. Oregon Pediatric Society. Testifies in opposition to SB 490.
340	Lorraine Duncan	Immunization program, Oregon Department of Human Services (DHS). Testifies in opposition to SB 490.
350	Ann Johnson	Adolescence Health Program, Oregon DHS. Testifies in opposition to SB 490.
407	Lace	Remarks that different age ranges apply for different types of services.
425	Chair Monnes Anderson	Discusses why she supports SB 490 with the -1 amendments.
450	Chair Monnes Anderson	Stands the committee at ease.
451	Chair Monnes Anderson	Calls the meeting back to order. Closes the public hearing and opens a work session on SB 490.
<b><u>SB 490 – WORK SESSION</u></b>		
456	Sen. Kruse	<b>MOTION: Moves to ADOPT SB 490-1 amendments dated 3/15/05.</b>
		<b>VOTE: 5-0-0</b>
	<b>Chair Monnes Anderson</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
464	Chair Monnes Anderson	Discusses concerns of the committee members regarding SB 490.
480	Sen. Courtney	States why he is opposed to SB 490.
<b>TAPE 53, B</b>		
022	Sen. Kruse	States that he supports the program. Comments on concerns that should be addressed later.
032	Sen. Morrisette	States that he supports the bill but would also like concerns addressed.
037	Sen. Kruse	<b>MOTION: Moves SB 490 to the floor with a DO PASS AS AMENDED recommendation.</b>
042	Sen. George	Discusses why he supports the bill.
045		<b>VOTE: 4-1-0</b>
		<b>AYE: 4 - George, Kruse, Morrisette, Monnes Anderson</b>
		<b>NAY: 1 - President Courtney</b>
	<b>Chair Monnes Anderson</b>	<b>The motion CARRIES.</b>
		<b>SEN. MONNES ANDERSON will lead discussion on the floor.</b>
050	Chair Monnes Anderson	Closes the work session on SB 490 and opens a public hearing on SB 618.
<b><u>SB 618 – PUBLIC HEARING</u></b>		
060	Rick Berkobien	Explains the bill and introduces the -1 amendments to SB 618 <b>(EXHIBIT J).</b>
075	Diane Garrett	Oregon Mothers Council. Testifies in support of SB 618 with the -1 amendments. Asks if line five (5) and six (6) of the bill will be clarified.
090	Chair Monnes Anderson	Comments on the intent of the bill. Remarks that the section Garrett referred to should be taken out. States that the bill will be carried over to the next meeting. Closes the public hearing on SB 618 and opens a public hearing on SB 936.
<b><u>SB 936 – PUBLIC HEARING</u></b>		

	Rick Berkobien	Committee Administrator. Introduces the -1 amendments <b>(EXHIBIT K)</b> , and the -2 amendments <b>(EXHIBIT L)</b> to SB 936.
120	Stephen Kafoury	Oregon Acupuncture Association. Testifies in support of SB 936 with the 1 amendments.
122	Chair Monnes Anderson	Asks if he misspoke and is testifying in favor of the -2 amendments to SB 936.
125	Kafoury	States that he does not have the -2 amendments to SB 936.
128	Sen. Courtney	States that he only has the -1 amendments to SB 936.
130	Chair Monnes Anderson	States that she has the -2 amendments to SB 936.
132	Sen. Kruse	States that he has the -1 amendments to SB 936.
135	Chair Monnes Anderson	Asks for Kafoury to look over the -2 amendments. Explains how the -2 amendments differ from the -1 amendments to SB 936.
140	Sen. Kruse	Comments on the difference between the amendments.
143	Chair Monnes Anderson	Asks Kafoury to continue his testimony regarding SB 936.
145	Kafoury	Continues testimony.
173	Berkobien	States that they will need clarification as to which amendments are needed.
160	Chair Monnes Anderson	Asks Kafoury to explain why the bill is needed.
165	Kafoury	Answers question.
185	Chair Monnes Anderson	Closes the public hearing on SB 936 and opens a public hearing on SB 962.
<b><u>SB 962 – PUBLIC HEARING</u></b>		
188	Rick Berkobien	Committee Administrator. Explains SB 962 and introduces the -1 amendments <b>(EXHIBIT M)</b> , -5 amendments <b>(EXHIBIT N)</b> and the -6 amendments <b>(EXHIBIT O)</b> .
207	Chair Monnes Anderson	Questions regarding the -5 amendments and the -6 amendments to SB 962.
213	Berkobien	Responds.
225	Sen. Courtney	Provides additional explanation.
232	Sen. Kruse	States that there are -1 amendments to SB 962.
236	Rick Berkobien	Explains the -1 amendments to SB 962.
240	Sen. Kruse	Provides further explanation of the -1 amendments to SB 962.
250	Chair Monnes Anderson	Comments on the difference between the -1 amendments and the -5 amendments.
270	Matt Blevins	Oregon Environmental Council. Testifies without a stated position on SB 962. Address concerns of the bill.
303	Catherine Thomasson	Physicians for Social Responsibility. Testifies in opposition to the -1 amendments of SB 962. Asks that Deca levels be addressed.
370	Rhett Lawrence	Environmental Advocate, Oregon State Public Interest Research Group (OSPIRG). Testifies in opposition to the -1 amendments and the -5 amendments to SB 962.
390	Sen. Kruse	Requests data that provide alternatives to Deca.
394	Blevins	Offers to return information to the committee.
400	Chair Monnes Anderson	Discusses the time she has spent researching this issue. Explains the different toxic flame retardant materials.
<b><u>TAPE 54, B</u></b>		
010	Paul Cosgrove	Alliance of Automobile Manufactures. Explains the -6 amendments to SB 962. Comments on a technical issue to be corrected with the -6 amendments.
032	Sen. Morrisette	States that he does not want to hold a work session until the

040	Chair Monnes Anderson	amendments are corrected. Stands the committee at ease to call the Legislative Counsel office.
041	Chair Monnes Anderson	Reconvenes the meeting. States that SB 962 will be carried over to the meeting on Friday, April 8 <sup>th</sup> , 2005, in Bend, Oregon.
045	Jim Marquee	American Chemistry Council. Clarifies the difference between the -1 amendments and the -5 amendments to SB 962. Testifies in support of the -1 amendments.
077	Chair Monnes Anderson	Comments that the issues will be addressed. Closes the public hearing on SB 962. Discusses the out of building meeting on April 8 <sup>th</sup> .
085	Sen. Kruse	States that Sen. George and himself cannot attend the April 8 <sup>th</sup> meeting and would appreciate the bills to be carried over to a different date.
090	Chair Monnes Anderson	States that the deadline for committees to work on Senate bills is April 8 <sup>th</sup> , 2005. Adjourns the meeting at 2:43 p.m.

### **EXHIBIT SUMMARY**

- A. SB 541, -1 amendments, Sen. Frank Morse, 4 pp**
- B. SB 541, written testimony, Sen. Frank Morse, 2 pp**
- C. SB 541, written testimony of Duncan Wyse, Sen. Frank Morse, 1 p**
- D. SB 541, written testimony of Luis Machuca, Sen. Frank Morse, 1 p**
- E. SB 541, report, Jodi Pettit, 19 pp**
- F. SB 541, written testimony, Catherine Britain, 2 pp**
- G. SB 824, -1 amendments, staff, 1 p**
- H. SB 824, letter, Barney Speight, 4 pp**
- I. SB 490, -1 amendments, staff, 1 p**
- J. SB 618, -1 amendments, staff, 1 p**
- K. SB 936, -1 amendments, staff, 1 p**
- L. SB 936, -2 amendments, staff, 1 p**
- M. SB 962, -1 amendments, staff, 1 p**
- N. SB 962, -5 amendments, staff, 1 p**
- O. SB 962, -6 amendments, staff, 3 pp**