

## SENATE COMMITTEE ON HUMAN SERVICES

March 01, 2005  
3:00 P.M.

Hearing Room D  
Tapes 26 - 27

Corrected 10/25/05

**MEMBERS PRESENT:** Sen. Bill Morrisette, Chair  
Sen. Jeff Kruse, Vice-Chair  
Sen. Rick Metsger  
Sen. Laurie Monnes Anderson  
Sen. Charles Starr

**STAFF PRESENT:** Rick Berkobien, Committee Administrator  
Dawn Tusso, Committee Assistant

**MEASURES/ISSUES HEARD:**  
SB 623 - Public Hearing and Work Session  
SB 553 - Public Hearing  
SB 418 – Public Hearing  
SB 419 - 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 26, A</b>		
005	Chair Morrisette	Calls meeting to order at 3:08 p.m. Opens public hearing on SB 623.
<b><u>SB 623 – PUBLIC HEARING</u></b>		
013	Rick Berkobien	Committee Administrator. Gives overview of SB 623 ( <b>EXHIBIT A</b> ). Introduces the -1 amendments for SB 623 ( <b>EXHIBIT B</b> ).
030	Bruce Goldberg	Administrator, Office for Oregon Health Policy and Research. Testifies on SB 623.
040	Missy Dolin	Administrator, Oregon Prescription Drug Program. Testifies on SB 623. Submits PowerPoint handout ( <b>EXHIBIT C</b> ). Talks about the Oregon prescription drug program that just began today.
096	Goldberg	States that it is a great prescription drug program. Feels that SB 623 is more of an administrative issue around the way the bill was originally drafted.
109	Jim Markee	Pharmaceutical Research and Manufacturers of America (PhRMA). Testifies in support of SB 623. Supports the -1 amendments.
130	Don Stetcher	Associate Director of Government Affairs, Norvartis Pharmaceuticals. Testifies in support of SB 623. Mentions support of the legislature providing oversight of the program.
141	Chair Morrisette	Asks if he recommends it as standard procedure for every bill that the legislature passes in relation to administrative rules.
145	Stetcher	Replies that he doesn't feel that it is a bad idea but thinks others would disagree.

148	Chair Morrisette	Asks if there is a reason why we are doing it with this particular bill.
149	Stetcher	Responds that his client feels that some legislative oversight is important.
151	Chair Morrisette	Asks if his client is here today.
152	Stetcher	Replies no.
155	Chair Morrisette	Remarks that he hoped Mr. Gardner could have come to the meeting today.
157	Stetcher	States that Gardner and Markee both represent PhRMA.
159	Chair Morrisette	Asks who's idea it was.
161	Markee	Responds that he was not involved in the drafting of the bill.
165	Holly Robinson	Legislative Counsel. Testifies on SB 623. Talks about SB 623 and the
		-1 amendments.
204	Chair Morrisette	Asks if it has an effect on the rules that were previously adopted by the agency.
207	Robinson	Explains.
220	Chair Morrisette	Asks if it is a solution looking for a problem. States that it might be a no trust situation. Asks what impact it has on Goldberg's ability to run a program.
230	Goldberg	Explains that they would like the opportunity to be able to move forward in an administratively efficient manner.
247	Chair Morrisette	Asks if Goldberg would like to continue the legislative process as it currently exists. Explains question in detail.
265	Goldberg	Responds that he doesn't see the need for an assurance of oversight.
273	Sen. Kruse	Asks if the -1 amendments prevent Goldberg from doing his job.
275	Goldberg	Replies no.
278	Sen. Kruse	Mentions that the workgroup product called for legislative oversight and says that it seems like a break of faith to eliminate that right now.
290	Chair Morrisette	Closes public hearing on SB 623 and opens public hearing on SB 553 ( <b>EXHIBIT D</b> ).

#### **SB 553 – PUBLIC HEARING**

303	Sen. Morse	Represents Senate District 8. Testifies on SB 553. Talks about the -1 amendments for SB 553 ( <b>EXHIBIT E</b> ).
338	Chair Morrisette	Asks if it is at the request of the Self Help for Hard of Hearing People, Oregon (SHHH-OR).
340	Sen. Morse	Replies yes.
344	Chair Morrisette	Asks if Sen. Morse is taking ownership of SB 553.
353	Sen. Morse	Says that he is only an advocate of SB 553.
367	Chair Morrisette	Appreciates his position on SB 553.
373	Sen. Morse	Comments with respect to the intent of the -1 amendments. Shares that Andy Evans anticipates that the new seat would be filled by a consumer advocate from a field such as nursing, geriatrics, social or vocational rehabilitation counseling, education, senior center workers, or the like.
388	Chair Morrisette	Closes public hearing on SB 553 and opens public hearing on SB 623.

#### **SB 623 – PUBLIC HEARING**

395	Chair Morrisette	Closes public hearing on SB 623. Committee stands at ease.
400	Chair Morrisette	Opens public hearing on SB 418.

#### **SB 418 – PUBLIC HEARING**

403	Rick Berkobien	Gives overview of SB 418 <b>(EXHIBIT F)</b> . States that SB 418 has a subsequent referral to the Revenue committee.
<b>TAPE 27, A</b>		
003	Sen. Metsger	Clarifies purpose of SB 418.
022	George Scheler	Oregon Association of the Deaf. Testifies in support of SB 418. Submits written testimony <b>(EXHIBIT G)</b> .
050	Fred Peters	Consumer Representative, Hearing Aid Licensure Council. Testifies in support of SB 418. Submits written testimony <b>(EXHIBIT H)</b> .
078	Eric Frederick	Oregon Speech Language and Hearing Association. Testifies in support of SB 418. Submits written testimony <b>(EXHIBIT I)</b> .
116	Suzanne Collins	Polk County Resident. Testifies in support of SB 418.
129	Chair Morrisette	States that there is a group in Lane County that works with children with hearing losses. Says that they emphasize that the sounds in early development are very important. Appreciates the testimony.
143	Scott Austin	Oregon Hearing Society. Testifies in support of SB 418.
157	Andrew Evans	Self Help for Hard of Hearing People, Oregon (SHHH-OR). Testifies in support of SB 418. Submits written testimony <b>(EXHIBIT J)</b> .
194	Chair Morrisette	Closes public hearing on SB 418 and opens public hearing on SB 623.

#### **SB 623 – PUBLIC HEARING**

217	Bruce Goldberg	Administrator, Office for Oregon Health Policy and Research. Amends previous testimony. Refers to Sen. Kruse's question regarding the -1 amendments and whether or not it would affect the way they operate the program. States that it is clear in the language of the amendment that it would inhibit their ability to run the program. Explains in detail.
245	Chair Morrisette	Responds to Goldberg's testimony.
252	Sen. Monnes	Asks if the main part of SB 623 is needed to continue the Oregon prescription drug plan.
	Anderson	
257	Goldberg	Replies yes.
263	Chair Morrisette	Closes public hearing on SB 623 and opens work session on SB 623.

#### **SB 623 – WORK SESSION**

272	Sen. Monnes	<b>MOTION: Moves SB 623 to the floor with a DO PASS recommendation.</b>
	Anderson	
275	Sen. Kruse	Says that he thought that they were going to be given more time to come up with something appropriate.
280	Chair Morrisette	Re-states feeling that it is a solution looking for a problem. Explains reason to move forward with a work session on SB 623.
327	Sen. Kruse	Admits that the -1 amendments are not written properly and are much too restrictive. Feels that there is a compromised solution. Requests a week to come up with a solution.
368	Chair Morrisette	Accepts the recommendation.
372	Sen. C. Starr	<b>MOTION: Moves to TABLE the motion to move SB 623 to the floor with a DO PASS recommendation.</b>
381	Sen. Monnes	Asks for a point of clarification regarding the motion on the floor.
	Anderson	
389	Chair Morrisette	Committee stands at ease.
390	Chair Morrisette	Explains that there was a motion to approve SB 623 as written which was overridden by a motion to table. Says that they must vote on the motion to table first. States that he would like to

410

Chair Morrisette

422

Chair Morrisette

**SB 419 – PUBLIC HEARING**

**TAPE 26, B**

005

George Scheler

035

Eric Frederick

057

Andrew Evans

076

Chair Morrisette

**SB 553 – PUBLIC HEARING**

080

George Scheler

101

Fred Peters

104

Sen. C. Starr

106

Scheler

111

Rick Berkobien

116

Scheler

120

Peters

150

Andrew Evans

168

Scott Austin

197

John Brenneman

200

Chair Morrisette

206

Austin

220

Chair Morrisette

240

Chair Morrisette

251

Chair Morrisette

**SB 553 - PUBLIC HEARING**

252

John Brenneman

260

Chair Morrisette

approve the motion to table so they can try to come up with a workable compromise. States that they will vote on the motion to table.

**VOTE: 4-1-0**

**AYE: 4 - Sen. Kruse, Sen. Metsger, Sen. C. Starr, Sen. Morrisette**

**NAY: 1 - Sen. Monnes Anderson**

**The motion to table Carries.**

Closes work session on SB 623 and opens public hearing on SB 419 (**EXHIBIT K**).

Oregon Association of the Deaf. Testifies in support of SB 419. Submits written testimony (**EXHIBIT L**).

Oregon Speech Language and Hearing Association. Testifies in support of SB 419. Submits written testimony (**EXHIBIT M**).

Self Help for Hard of Hearing People, Oregon (SHHH-OR).

Testifies in support of SB 419. Submits written testimony (**EXHIBIT N**).

Closes public hearing on SB419 and opens public hearing on SB 553.

Oregon Association of the Deaf. Testifies in support of SB 553. Submits written testimony (**EXHIBIT O**).

Consumer Representative, Hearing Aid Licensure Council.

Testifies in support of SB 553. Submits written testimony (**EXHIBIT P**).

Asks if Scheler supports SB 553 with the -1 amendments.

Asks about the amendments.

Committee Administrator. Gives overview of the -1 amendments for SB 553.

Supports the -1 amendments.

States that he would support the -1 amendments. Continues testimony on SB 553.

Self Help for Hard of Hearing People, Oregon (SHHH-OR).

Testifies in support of SB 553. Submits written testimony (**EXHIBIT Q**).

Oregon Hearing Society. Testifies on SB 553.

Oregon Hearing Society. Testifies on SB 553.

Asks what motivates people to continue fighting for this bill.

Responds.

Closes public hearing on SB 553 and announces that there will not be a work session on SB 553 today.

Announces that they will carry SB 623 over until the Thursday, March 3<sup>rd</sup>, 2005 meeting as long as they have the amendment by then.

Re-opens public hearing on SB 553.

Oregon Hearing Society. Testifies on SB 553. Says that he has talked to everyone on the committee to express that they do not want to lose a member.

Announces that there will be a work session on SB 418, SB 419, SB 553, and SB 623 on Thursday, March 3<sup>rd</sup>, 2005.

**EXHIBIT SUMMARY**

- A. SB 623, printed bill, staff, 1 p
- B. SB 623, -1 amendments, staff, 1 p
- C. SB 623, PowerPoint handout, Missy Dolin, 2 pp
- D. SB 553, printed bill, staff, 1 p
- E. SB 553, -1 amendments, staff, 1 p
- F. SB 418, printed bill, staff, 2 pp
- G. SB 418, written testimony, George Scheler, 3 pp
- H. SB 418, written testimony, Fred Peters, 1 p
- I. SB 418, written testimony, Eric Frederick, 1 p
- J. SB 418, written testimony, Andrew Evans, 1 p
- K. SB 419, printed bill, staff, 1 p
- L. SB 419, written testimony, George Scheler, 3 pp
- M. SB 419, written testimony, Eric Frederick, 1 p
- N. SB 419, written testimony, Andrew Evans, 1 p
- O. SB 553, written testimony, George Scheler, 3 pp
- P. SB 553, written testimony, Fred Peters, 1 p
- Q. SB 553, written testimony, Andrew Evans, 1 p