

## SENATE COMMITTEE ON HUMAN SERVICES

March 15, 2005  
3:00 P.M.

Hearing Room D  
Tapes 35 - 36

**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 403 - Public Hearing  
SB 418 - Public Hearing and Work Session  
SB 180 - Public Hearing  
SB 285 - Public Hearing and Work Session  
SB 776 - 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 35, A</b>		
005	Chair Morrisette	Calls meeting to order at 3:09 p.m. and opens a public hearing on SB 403.
<b>SB 403 – PUBLIC HEARING</b>		
007	Rick Berkobien	Committee Administrator. Gives overview of SB 403.
015	Karen Whitaker	Director, Oregon Health Science University Center for Rural Health. Testifies in support of SB 403. Submits written testimony ( <b>EXHIBIT A</b> ).
116	Sen. Kruse	Apologizes to the committee. Talks about problems with the -1 amendments. Wants to correct the problem with the amendments and then bring SB 403 back to the committee.
127	Chair Morrisette	States that the committee will only hear testimony on SB 403 from Sen. Ferrioli today due to the misunderstanding regarding the amendments.
134	Sen. Ted Ferrioli	Represents Senate District 30. Testifies in support of SB 403.
175	Chair Morrisette	Comments on testimony.
187	Sen. Monnes Anderson	Asks Whitaker a question regarding submitted testimony.
195	Whitaker	Explains.
199	Chair Morrisette	Closes public hearing on SB 403 and opens public hearing on SB 418.
<b>SB 418 – PUBLIC HEARING</b>		
200	Chair Morrisette	Announces that there is not anyone signed up to testify on SB 418.
204	Chair Morrisette	Closes public hearing and opens work session on SB 418.
<b>SB 418 – WORK SESSION</b>		
206	Sen. Kruse	<b>MOTION: Moves SB 418 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Revenue.</b>
209	Sen. Metsger	Discusses opposition to SB 418.
217	Sen. Monnes Anderson	Discusses opposition to SB 418.
220	Sen. Kruse	Discusses support for SB 418.
225	Sen. Monnes Anderson	Explains reason for not supporting SB 418.
240		<b>VOTE: 3-2-0</b> <b>AYE: 3 - Sen. Morrisette, Sen. Kruse, Sen. C. Starr</b> <b>NAY: 2 - Sen. Monnes Anderson, Sen. Metsger</b> <b>The motion Carries.</b>
242	Chair Morrisette	Closes work session and opens public hearing on SB 180.
<b>SB 180 – PUBLIC HEARING</b>		
250	Rick Berkobien	Gives overview of SB 180. States that SB 180 has a subsequent referral to Ways and Means.
260	Chair Morrisette	Announces that SB 778 will not be heard today.
275	Kathy Hahn	Chair, Pain Commission. Testifies on SB 180. Submits written testimony

(EXHIBIT B).

290 Chair Morrisette Asks about the type of prescriptions that might appear in relation to the death with dignity act.

293 Hahn Explains.

308 Gary Oxley Oxley and Associates. Testifies on behalf of Fred Meyer, Safeway, and RiteAid in support of SB 180. Submits and discusses the -2 amendments (EXHIBIT C).

333 Cathy Lew Pharmacist. Testifies in support of SB 180.

370 Chair Morrisette Asks where the grant came from.

373 Lew Explains.

382 Chair Morrisette Asks if the grant is available on the condition that the committee approves the program.

385 Lew Replies yes and explains.

387 Chair Morrisette Asks where the grant came from.

390 Lew Replies the Federal Department of Justice.

396 Tom Holt Executive Director, Oregon State Pharmacy Association. Testifies in support of SB 180.

**TAPE 36, A**

005 Holt Continues testimony in support of SB 180.

024 Sen. Kruse Asks which amendments Holt supports.

026 Holt Explains.

032 Sen. Kruse Asks why the appointments were taken from the Governor and put with the Board of Pharmacy.

035 Holt Responds.

040 Gary Schnabel Executive Director, Board of Pharmacy. Testifies in support of SB 180. Talks about conceptual amendments for SB 180. Submits -2 conceptual amendments (EXHIBIT D), -3 conceptual amendments (EXHIBIT E), and -4 conceptual amendments (EXHIBIT F).

104 Andrea Meyer Legislative Director, American Civil Liberties Union of Oregon. Testifies in opposition to SB 180.

204 Meyer Continues reading testimony in opposition to SB 180.

293 Chair Morrisette Comments on testimony. Asks Hahn to speak to the issue explained.

326 Hahn Responds.

350 Henry H. Holmes, M.D. Physician. Testifies in opposition to SB 180.

**TAPE 35, B**

005 Holmes Continues testimony in opposition to SB 180.

039 Christine Chute Oregon Department of Justice. States that she does not have any comments to make but that she is available to answer questions.

**The following prepared testimony is submitted for the record without public testimony:**

Joan Bouchard Executive Director, Oregon State Board of Nursing. Submits memorandum on SB 180 (EXHIBIT G).

042 Chair Morrisette Closes public hearing on SB 180 and opens public hearing on SB 285.

**SB 285 – PUBLIC HEARING**

050 Rick Berkobien Committee Administrator. Gives overview of SB 285.

060 Naomi Steenson Department of Human Services. Testifies in support of SB 285. Submits written testimony (EXHIBIT H).

077 Sen. Kruse Asks for description of the pain education training.

081 Steenson Explains that it is an eight hour training.

086 Sen. Kruse Asks if the training can be done online.

088 Steenson Replies yes.

091 Stephen Kafory Oregon Acupuncture Association. Testifies in support of SB 285.

118 Sen. Kruse Asks if there would be training on pain management relative to acupuncture.

122 Kafory Replies yes and explains.

125 Sen. Kruse Asks where the accreditation of the program comes from.

131 Kafory Replies that he does not have the answer to the question.

135 Sen. Kruse Clarifies question.

140 Holmes Responds to Sen. Kruse's question.

161 Sen. Kruse Clarifies answer.

162 Holmes Replies yes.

165 Chair Morrisette Closes public hearing and opens work session on SB 285.

**SB 285 – WORK SESSION**

166 Sen. Kruse **MOTION: Moves SB 285 to the floor with a DO PASS**

**recommendation.**

**VOTE: 4-0-1**

**EXCUSED: 1 - Sen. Metsger**

**Hearing no objection, declares the motion CARRIED.**

**SEN. KRUSE will lead discussion on the floor.**

Closes work session and opens public hearing on SB 776.

175 Chair Morrisette

180 Chair Morrisette

**SB 776 – PUBLIC HEARING**

192 Ted Stevens

262 Timothy Baxter

350 Jim Patterson

Director, Senior & Disabled Services, Lane Council of Governments.

Testifies in support of SB 766. Submits written testimony (**EXHIBIT I**).

Attorney, Lane County Law and Advocacy Center. Testifies in support of

SB 766. Submits written testimony (**EXHIBIT J**).

Volunteer, Certified Long-Term Care Ombudsman. Testifies in support of

SB 776. Submits written testimony (**EXHIBIT K**).

**TAPE 36, B**

003 Chair Morrisette

004 Patterson

005 Chair Morrisette

007 Patterson

009 Ellie Jenny

Asks if Patterson lives in Lane County.

Replies yes.

Asks how long he has been a volunteer.

Replies four years.

Board member, Oregon Health Action Campaign. Testifies in support of SB

776. Submits written testimony (**EXHIBIT L**).

048 Chair Morrisette

051 Stevens

060 Chair Morrisette

Asks Stevens a question regarding the scope of SB 776.

Responds.

Closes public hearing and adjourns meeting at 4:41 p.m.

**EXHIBIT SUMMARY**

- A. SB 403, written testimony, Karen Whitaker, 12 pp
- B. SB 180, written testimony, Kathy Hahn, 1 p
- C. SB 180, -2 amendments, Gary Oxley, 1 p
- D. SB 180, -2 conceptual amendments, Gary Schnabel, 1 p
- E. SB 180, -3 conceptual amendments, Gary Schnabel, 2 pp
- F. SB 180, -4 conceptual amendments, Gary Schnabel, 1 p
- G. SB 180, memorandum, Joan Bouchard, 1 p
- H. SB 285, written testimony, Naomi Steenson, 2 pp
- I. SB 776, written testimony, Ted Stevens, 2 pp
- J. SB 776, written testimony, Timothy Baxter, 3 pp
- K. SB 776, written testimony, Jim Patterson, 2 pp
- L. SB 776, written testimony, Ellie Jenny, 2 pp