

SENATE COMMITTEE ON HUMAN SERVICES

March 17, 2005
3:00 P.M.

Hearing Room D
Tapes 37 - 38

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

MEMBER EXCUSED: **Sen. Charles Starr**

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

MEASURES/ISSUES HEARD:
 SB 781 – Public Hearing
 SB 512 – Public Hearing and Work Session
 SB 668 – Public Hearing
 SB 782 – 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 37, A		
005	Chair Morrisette	Calls the meeting to order at 3:09 p.m. Opens a public hearing on SB 781.
<u>SB 781 - PUBLIC HEARING</u>		
008	Rick Berkobien	Committee Administrator. Gives overview of SB 781.
020	Marilyn Hinds	Governor's Commission on Senior Services. Testifies in support of SB 781. Submits written testimony (EXHIBIT A) .
072	Donald Butsch	Governor's Commission on Senior Services. Testifies in support of SB 781. Submits written testimony (EXHIBIT B) .
137	Chair Morrisette	Asks about potential fiscal impact of SB 781.
140	Butsch	Explains.
147	Chair Morrisette	Asks for clarification of Butsch's opinion regarding the potential fiscal impact of SB 781.
149	Butsch	Feels that there will not be a fiscal impact.
150	Sen. Kruse	Asks if he plans to take money from one program to fund another. Feels that there would be some sort of fiscal impact.
161	Butsch	Responds.
166	Sen. Kruse	Says that he is not arguing with the intent but with the fiscal limits inside budgets and programs.
173	Chair Morrisette	Says that Michael Morris is here to speak to the issue of a potential fiscal impact.
180	Michael Morris	Mental Health Policy Manager, Health Services, Office of Mental Health and Addictions Services, Oregon Department of Human Services. Testifies on SB 781. Submits written testimony (EXHIBIT C) .
234	Chair Morrisette	Says that his concerns will be addressed by Gordon Fultz and Gina Firman.

260 Gordon Fultz Association of Oregon Counties. Testifies on SB 781. Submits written testimony (**EXHIBIT D**).

307 Gina Firman Executive Director, Association of Community Mental Health Programs. Testifies on SB 781.

350 Chair Morrisette Asks Butsch if he would like to address any of the issues mentioned.

357 Butsch Comments on SB 781.

367 Sen. Kruse Says that he is not opposed to the idea, but that he wants to make sure it is done appropriately. Discusses concerns with SB 781.

397 Chair Morrisette Talks about section 5 of SB 781.

402 Sen. Kruse Responds.

405 Chair Morrisette Says there is time to work on amendments for SB 781.

420 Rick Bennett AARP Oregon. Testifies on SB 781. Submits written testimony (**EXHIBIT E**).

TAPE 38, A

005 Jacqueline Zimmer Oregon Association of Area Agencies on Aging and Disabilities. Testifies on SB 781. Submits written testimony (**EXHIBIT F**).

046 Chair Morrisette Asks Zimmer to take a look at section 5 of SB 781 and report back to the committee if she has any concerns.

051 Zimmer Responds.

055 Sen. Kruse Asks Zimmer if she knows where community mental health ranks in regards to the priorities of the Department of Human Services (DHS).

058 Zimmer Replies that the priority ranking that DHS has put forward is not a reflection of what they believe the priorities or needs to be in human services.

076 Sen. Monnes Expresses interest in hearing about the psychiatric hospital.

Anderson

090 Chair Morrisette Closes public hearing on SB 781 and opens public hearing on SB 512.

SB 512 - PUBLIC HEARING

093 Rick Berkobien Committee Administrator. Gives overview of SB 512. Mentions - 1 amendments (**EXHIBIT G**) and - 2 amendments (**EXHIBIT H**).

115 Tom Holt Executive Director, Oregon State Pharmacy Association. Testifies in support of SB 512 with the -1 and -2 amendments. Submits written testimony (**EXHIBIT I**).

186 Chair Morrisette Asks question regarding the recovery program discussed.

189 Holt Replies yes and explains.

200 Chair Morrisette Asks what the criteria is for making the decision.

202 Holt Explains that it would be a Board of Pharmacy decision.

208 Chair Morrisette Asks if it is a common occurrence.

210 Holt Responds.

216 Chair Morrisette Asks if he has seen successful diversion recovery examples over the years.

218 Holt Replies yes and explains.

227 Chair Morrisette Closes public hearing and opens work session on SB 512.

SB 512 – WORK SESSION

229 Sen. Kruse **MOTION: Moves to ADOPT SB 512-1 amendments dated 2/22/05.**

VOTE: 4-0-1

EXCUSED: 1 - Sen. C. Starr

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

235	Sen. Kruse	MOTION: Moves to ADOPT SB 512-2 amendments dated 3/15/05.
		VOTE: 4-0-1
	Chair Morrisette	EXCUSED: 1 - Sen. C. Starr
240	Sen. Kruse	Hearing no objection, declares the motion CARRIED.
		MOTION: Moves SB 512 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-0-1
	Chair Morrisette	EXCUSED: 1 - Sen. C. Starr
		Hearing no objection, declares the motion CARRIED.
		SEN. KRUSE will lead discussion on the floor.
	Chair Morrisette	Closes work session and opens public hearing on SB 668.
<u>SB 668 – PUBLIC HEARING</u>		
248	Rick Berkobien	Committee Administrator. Gives overview of SB 668. Mentions letter submitted by the Board of Medical Examiners (EXHIBIT J) and letter submitted by the Oregon Optometric Physicians Association (EXHIBIT K).
255	Art Keil	Lobbyist, Oregon Association of Naturopathic Physicians. Testifies in support of SB 668. Submits written testimony (EXHIBIT L).
347	Aris Campbell	Naturopathic Physician. Testifies in support of SB 668. Submits written testimony (EXHIBIT M).
378	Sen. Metsger	Discusses concern with SB 668.
407	Keil	Addresses Sen. Metsger's concern.
432	Sen. Metsger	Responds.
TAPE 37, B		
005	Campbell	Responds to Sen. Metsger's concern.
021	Sen. Monnes Anderson	Expresses concern regarding the potential billing impact of SB 668.
033	Campbell	Addresses Sen. Monnes Anderson's concern.
035	Keil	Addresses Sen. Monnes Anderson's concern.
042	Sen. Monnes Anderson	Asks about the Public Employees Benefit Board.
048	Keil	Responds to question.
051	Sen. Monnes Anderson	Responds.
057	Campbell	Says that naturopathic doctors are physicians.
070	Sen. Monnes Anderson	Says that she does not have a problem with the scope of practice. Clarifies concern regarding the potential ramifications of SB 668 in regards to billing.
077	Sen. Kruse	Asks follow-up question regarding Sen. Monnes Anderson's concern.
084	Campbell	Responds to question.
087	Sen. Kruse	Explains question in detail.
097	Keil	Responds to question.
110	Sen. Monnes Anderson	Discusses instance where the services of a naturopathic physician were not covered by insurance in a particular county.
118	Keil	Responds to comment.
125	Tina Kitchin	Medical Director, Seniors and People with Disabilities, Oregon Department of Human Services. Testifies on SB 668. Submits written testimony (EXHIBIT N).
154	Scott Gallant	Oregon Medical Association. Testifies in opposition to SB 668.
224	Chair Morrisette	Asks about the implications of attaching the word physician.

228	Gallant	Explains.
234	Sen. Kruse	Mentions Keil's testimony. Asks if Gallant would still have a problem with SB 668 if the scope of SB 668 was reduced down to addressing the issue of naturopathic physicians being able to help their clients qualify for services available to individuals with disabilities.
245	Gallant	Replies that his concern would be diminished substantially.
250	John Powell	Regence BlueCross BlueShield of Oregon. Testifies in opposition to SB 668.
284	Keil	Discusses issues with the concerns mentioned. Talks about ORS 676.110.
320	Sen. Kruse	Responds to testimony.
332	Chair Morrisette	Agrees.
342	Chair Morrisette	Closes public hearing on SB 668 and opens public hearing on SB 782.

SB 782 – PUBLIC HEARING

345	Chair Morrisette	Announces that there will not be a public hearing on SB 750 today. Reports that SB 750 will be heard on March 24, 2005.
349	Rick Berkobien	Committee Administrator. Gives overview of SB 782.
365	Lee Hazelwood	Citizen. Testifies in support of SB 782. Submits written testimony (EXHIBIT O).

TAPE 38, B

005	Sen. Kruse	Says that notice has to be given currently. Clarifies that Hazelwood would like to see more information on the notice.
007	Hazelwood	Replies yes and explains.
009	Sen. Kruse	Does not feel that it is sufficient to give notice without offering individuals alternatives.
017	Hazelwood	Responds that it is a possibility.
020	Sen. Kruse	Explains idea.
024	Chair Morrisette	Says it is a good idea. States that SB 782 may have a fiscal impact.
028	Sen. Kruse	Comments on idea discussed.
032	Hazelwood	Recommends that SB 782 be sent to the floor with a do pass recommendation.
040	Jacqueline Zimmer	Oregon Association of Area Agencies on Aging and Disabilities. Testifies on SB 782.
044	Chair Morrisette	Clarifies question of whether or not the agency is in a position to recommend alternatives for obtaining services currently. Asks, if they are not currently providing this information, should they be.
051	Hazelwood	Agrees with Sen. Morrisette.
052	Zimmer	Responds to Sen. Morrisette's question and testifies on SB 782.
082	Sen. Kruse	Comments on SB 782 and alternative services available.
095	Zimmer	Responds to Sen. Kruse's comment.
109	Hazelwood	Thanks staff for working on SB 782.
115	Sue Abrams	Children, Adults and Families, Office of Prevention and Transitional Benefits. Testifies on SB 782.
143	Deanna Hartwig	Assistant Administrator, Oregon Department of Human Services, Seniors and People with Disabilities, Office of Employment and Financial Benefits. Testifies on SB 782. Submits written testimony (EXHIBIT P).
176	Chair Morrisette	Asks what her suggestion would be.
178	Hartwig	Discusses suggestion.
194	Chair Morrisette	Asks if it is something that has been discussed and if there is

		money in the budget to do it.
196	Hartwig	Replies that they have not discussed it. States that there will be a fiscal impact.
203	Chair Morrisette	Asks if she had considered doing it in the past.
208	Hartwig	Replies no.
213	Chair Morrisette	Explains that he hopes that departments look at qualitative performance measures.
221	Abrams	Discusses what could be done in addition to what is being done currently.
231	Hartwig	Comments on Zimmer's testimony.
240	Chair Morrisette	Suggests looking at the potential fiscal impact.
251	Sen. Kruse	Asks Abrams question regarding termination procedures and providing notice to clients.
264	Abrams	Explains.
275	Sen. Kruse	Clarifies question.
285	Abrams	Responds to question.
290	Sen. Kruse	Clarifies question further.
303	Abrams	Says she can't answer the question in detail.
323	Chair Morrisette	Wants to see a fiscal impact for the possible solution discussed.
329	Hartwig	Comments on looking at alternatives that would not have a cost.
341	Chair Morrisette	Closes public hearing and adjourns meeting at 5:00 p.m.

EXHIBIT SUMMARY

- A. SB 781, written testimony, Marilyn Hinds, 3 pp**
- B. SB 781, written testimony, Donald Butsch, 3 pp**
- C. SB 781, written testimony, Michael Morris, 2 pp**
- D. SB 781, written testimony, Gordon Fultz, 4 pp**
- E. SB 781, written testimony, Rick Bennett, 1 p**
- F. SB 781, written testimony, Jacqueline Zimmer, 1 p**
- G. SB 512, -1 amendments, staff, 1 p**
- H. SB 512, -2 amendments, staff, 1 p**
- I. SB 512, written testimony, Tom Holt, 2 pp**
- J. SB 668, written testimony, Board of Medical Examiners, 2 pp**
- K. SB 668, written testimony, Oregon Optometric Physicians Association, 2 pp**
- L. SB 668, written testimony, Art Keil, 6 pp**
- M. SB 668, written testimony, Aris Campbell, 2 pp**
- N. SB 668, written testimony, Tina Kitchin, 1 p**
- O. SB 782, written testimony, Lee Hazelwood, 5 pp**
- P. SB 782, written testimony, Deanna Hartwig, 2 pp**