

SENATE COMMITTEE ON HUMAN SERVICES

April 01, 2005
1:00 P.M.

Sweet Home, Oregon
Tapes 51 - 54

Corrected 10/25/05

MEMBERS PRESENT: Sen. Bill Morrisette, Chair
Sen. Jeff Kruse, Vice-Chair
Sen. Charles Starr

MEMBER EXCUSED: Sen. Laurie Monnes Anderson
Sen. Rick Metsger

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

MEASURES/ISSUES HEARD:

Long-term Care Issues: Challenges and Trends – Informational Meeting
Oregon Project Independence Modernization Act of 2005 – Informational Meeting
Long-term Care and Access to Prescription Drugs – Public Hearing
SB 870 – Public Hearing
SB 430 – Public Hearing and Work Session
SB 443 – Public Hearing and Work Session
SB 605 – Public Hearing and Work Session
SB 781 – Public Hearing and Work Session

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 51, A		
003	Chair Morrisette	Calls the meeting to order at 1:03 p.m. Makes opening comments.
020	Rick Berkobien	Committee Administrator. Introduces himself. Discusses meeting procedures.
030	Chair Morrisette	Introduces himself.
040	Sen. Kruse	Introduces himself.
065	Chair Morrisette	Opens an informational meeting on Long-term Care Issues: Challenges and Trends.
<u>LONG-TERM CARE: CHALLENGES AND TRENDS – INFORMATIONAL MEETING</u>		
080	Jim Carlson	Executive Director, Oregon Health Care Association. Introduces himself.
095	Chad Martin	Administrator, Lebanon Rehab. Submits and presents a fact sheet about the Lebanon Rehab center (EXHIBIT A).
140	Rick Berkobien	Asks if the center keeps discharge data.
143	Carlson	Submits PowerPoint presentation on "Long Term Care Data and Trends" (EXHIBIT B) and refers to page four (4) for data.
160	Martin	Elaborates on data.
168	Martin	Continues testimony.
230	Linda Learn	Administrator, The Oaks Assisted Living Center. Testifies regarding concerns about future of long-term care. Discusses statistics for The Oaks Assisted Living Center.

280	Chair Morrisette	Asks to clarify that the living center is in Lebanon, Oregon.
281	Learn	Affirms.
282	Chair Morrisette	Asks if most of the residents are within the Lebanon/Sweet Home area.
282	Learn	Answers, yes. Elaborates.
284	Chair Morrisette	Asks where the closest assisted living center is outside of Lebanon.
290	Learn	Answers, Albany, Oregon.
293	Chair Morrisette	Discusses the importance of maintaining local facilities. Asks about the vacancy rate.
298	Learn	Answers question.
300	Chair Morrisette	Asks for vacancy and capital cost projections.
314	Learn	Speculates about projections. Explains how capital costs are constant to maintain the facility.
325	Chair Morrisette	Asks about future vacancy projections.
328	Learn	Responds. Adds that there is another facility being built in Lebanon.
335	Chair Morrisette	Speaks about the baby boomer population and the need for addressing larger populations of seniors.
343	Learn	Remarks about expectations of baby boomers.
350	Sen. Kruse	Comments on the California and Florida elderly populations.
360	Carlson	Concludes testimony on long term-care issues.
375	Sen. Kruse	Asks about the need for a moratorium extension.
378	Carlson	Answers question.
395	Sen. Kruse	Comments on the grandfathering for an extension of the moratorium.
400	Chair Morrisette	Asks Sen. C. Starr to introduce himself.
405	Sen. C. Starr	Introduces himself.
450	Chair Morrisette	Closes the informational meeting on Long-term Care Issues: Challenges and Trends and opens an informational meeting on the Oregon Project Independence Modernization Act of 2005.

TAPE 52, A

OREGON PROJECT INDEPENDENCE MODERNIZATION ACT OF 2005 – INFORMATIONAL MEETING

025	Jacqueline Zimmer	Oregon Association of Area Agencies on Aging and Disability (AAA/D). Submits and presents an information packet about AAA/D (EXHIBIT C).
060	Ted Stevens	Director, Senior and Disabled Services, Eugene, Oregon. Provides testimony regarding Oregon Project Independence (OPI).
110	Sen. Kruse	Comments on the committee's support for OPI.
115	Scott Bond	Director, Oregon Cascade West Council of Government. Discusses the OPI project.
165	Chair Morrisette	Asks Bond if he spoke with a man earlier who had to leave because he needed to go home to care for his wife.
170	Bond	Answers, no.
172	Chair Morrisette	Asks for Bill Wagner to approach the witness table and explain the issues of the man who cares for his wife.
175	Bill Wagner	Executive Director, Cascades West Council of Government. Answers question.
208	Chair Morrisette	States that he spoke with the constituent. Raises the issue of the elderly taking care of the elderly.
225	Wagner	Clarifies that the man who left does have a case worker.
237	Chair Morrisette	Comments on the cuts in various programs statewide.

253	Wagner	Comments on the lack of funding to local government agencies.
288	Chair Morrisette	Asks what year Lane County, Oregon took over the functions relating to funding.
292	Wagner	Responds.
295	Chair Morrisette	Discusses state funding.
315	Zimmer	Concludes testimony.
340	Chair Morrisette	Closes the informational meeting on Oregon Project Independence Modernization Act of 2005. Opens a public hearing for the public to testify on long-term care and access to prescription drugs.

LONG-TERM CARE AND ACCESS TO PRESCRIPTION DRUGS – PUBLIC HEARING

383	Alecia Juber	Citizen, McMinnville, Oregon. Submits and presents written testimony regarding long-term care (EXHIBIT D).
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TAPE 51, B

030	Juber	Continues testimony about long-term care.
055	Sen. Kruse	Comments on the difficulty of accessing certain resources.
065	Jacqueline Zimmer	Oregon Association of Area Agencies on Aging and Disability (AAA/D). Suggests that they speak further regarding Juber's issue.
070	Chair Morrisette	Comments on Juber's testimony.
090	Marvella Gibbs	Citizen, Sweet Home, Oregon. Testifies regarding concerns of the future for relative foster care.
128	Chair Morrisette	Asks how many people she is taking care of in her home.
130	Gibbs	Answers, two. Adds that she only sees her case worker once a year.
140	Sunny Swanson	Citizen, Oregon. Discusses experience as a Certified Nurses Assistant.
195	Michael Volpe	Citizen, Corvallis, Oregon. Testifies about his experience with Multiple Sclerosis (MS) and receiving in-home care.
250	Volpe	Discusses the type of care that he requires.
280	Chair Morrisette	Asks Volpe to explain his living unit.
282	Volpe	Answers that he lives in an apartment.
285	Chair Morrisette	Confirms that he has access to and from his apartment.
287	Volpe	Affirms. Adds that he depends on a large network of people for daily assistance.
300	Chair Morrisette	Confirms that Volpe has no control of his limbs.
303	Volpe	Affirms.
305	Chair Morrisette	Comments on Volpe's positive attitude regarding his MS.
325	Terry Haydon	Client Employed Provider, Service Employees Union (SEIU), Local 503. Submits and presents written testimony about healthcare coverage and workman's compensation for home care workers (EXHIBIT E).
410	Chair Morrisette	Asks for information about work related injuries for home care workers. Comments on related bills regarding in-home care.
460	Ken Toombs	Mayor, Lebanon, Oregon. Testifies about prescription drugs and his personal experience needing them.

TAPE 52, B

030	Chair Morrisette	Comments on the pharmaceutical companies offering programs. Asks Toombs if he has been involved with those special programs.
038	Toombs	States that he does not qualify.
040	Sen. Kruse	Explains that some programs allow up to 300% poverty level. Comments on legislation sponsored by Sen. Alan Bates regarding the medication programs.

044	Chair Morrisette	Explains a bill that was passed to purchase bulk medications. States that he is willing to help anyone who needs assistance with medications.
085	Chair Morrisette	Closes the public hearing on long-term care and access to prescription drugs and opens a public hearing on SB 870.

SB 870 – PUBLIC HEARING

095	Rick Berkobien	Committee Administrator. Explains the bill.
115	Delores Hubert	Chair, Governor’s Commission on Senior Services. Submits written testimony in support of SB 870 (EXHIBIT F) .
130	Ruth Shepard	Citizen, Oregon. Testifies in support of SB 870. Discusses Oregon Project Independence (OPI).
185	Sen. C Starr	Asks how hospice care relates to OPI.
190	Sheppard	Defers to Jacqueline Zimmer.
196	Jacqueline Zimmer	Oregon Association of Area Agencies on Aging and Disability (AAA/D). Testifies in support of SB 870.
255	Ted Stevens	Director, Senior and Disabled Services, Eugene, Oregon. Answers Sen. C. Starr’s question about hospice. Testifies in support of SB 870. Discusses options for long-term care with OPI.
330	Zimmer	Discusses ideas for modernizing OPI, including promoting long-term care insurance.
335	Chair Morrisette	Comments on the cost shift with SB 870.
350	Chair Morrisette	Closes the public hearing on SB 870. Opens a public hearing on SB 430.

SB 430 – PUBLIC HEARING

369	Rick Berkobien	Committee Administrator. Explains the bill and introduces the -3 amendments (EXHIBIT G) and the -2 amendments (EXHIBIT H) to SB 430.
375	May Dasch	Alzheimer’s Network of Oregon. Submits and presents written testimony in opposition to SB 430 (EXHIBIT I) .
425	Chair Morrisette	Comments on Dasch’s concerns.
TAPE 53, A		
020	Grover Simmons	Independent Adult Foster Home Association. Testifies in support of SB 430 with the -2 amendments and the -3 amendments.
055	Dasch	Comments on the concerns between the Alzheimer’s Network and the Independent Adult Foster Association.
065	Chair Morrisette	Asks if members from either of the organizations cross over.
068	Dasch	Responds.
070	Chair Morrisette	Asks Grover if members of the Independent Adult Association also belong to the Alzheimer’s Network.
072	Simmons	Answers, yes. Discusses how that number has increased.
080	Sen. Kruse	Comments on the difference between the -2 and the -3 amendments to SB 430. Asks if the difference is significant between the amendments.
082	Dasch	Asks Sen. Kruse to repeat the sections of the bill that the amendments would change.
085	Sen. Kruse	Repeats.
087	Dasch	States that the amendments are acceptable.
090	Grover	Comments on the words being deleted by the -2 amendments.
095	Sen. Kruse	Clarifies the difference between the amendments
103	Mickey Tate	Adult Foster Home Program Coordinator, Seniors and People With Disabilities, Oregon Department of Human Service (DHS). Testifies in support of SB 430 with the -2 amendments and the -3

		amendments.
105	Chair Morrisette	States that he wants to address all concerns of the bill. Asks Tate if she heard Dasch's testimony
110	Tate	Responds, yes.
118	Chair Morrisette	Asks if Dasch's concerns could be accommodated by administrative rule.
120	Tate	Responds. States that the department does not object to adding the requirements to statute.
125	Chair Morrisette	Clarifies that Tate is referring to the Alzheimer's training.
127	Tate	States that she does not understand the question.
130	Chair Morrisette	Clarifies Dasch's concerns. Asks Tate to clarify that she believes there should be broader educational requirements.
132	Tate	Responds. States concerns of the word "may" in the -3 amendments.
135	Berkobien	Re-explains the -2 amendments and the -3 amendments for SB 430.
140	Chair Morrisette	Comments on the -2 and -3 amendments regarding certain language that would be restored.
148	Dasch	Refers to section three (3) of the -3 amendments. Explains concern.
155	Tate	Explains current requirements. Remarks that the bill is needed.
173	Dasch	Addresses concern of caregivers being in charge of facilities without proper training .
180	Chair Morrisette	Asks Dasch for her suggestions to SB 430.
182	Dasch	Responds.
184	Chair Morrisette	Asks Dasch how she would change the language to address her concerns of the bill.
185	Dasch	Answers question.
190	Chair Morrisette	Comments on addressing issues with all parties involved.
201	Sen. C. Starr	Comments on the intent of the bill. Asks Grover why the bill should exclude anyone from attending training.
210	Simmons	Responds.
230	Tate	States agreement with Simmons' response. Elaborates.
260	Sen. C. Starr	Comments on the responsibility of resident managers. States his support of SB 430 with the -2 amendments.
276	Dasch	Explains the concerns of families.
300	Chair Morrisette	Clarifies Dasch's comments about substitute care givers.
310	Tate	Explains requirements for care givers.
330	Chair Morrisette	Close the public hearing and opens a work session on SB 430.
<u>SB 430 – WORK SESSION</u>		
330	Sen. Kruse	MOTION: Moves to ADOPT SB 430-1 amendments dated 3/15/05.
		VOTE: 3-0-2
		EXCUSED: 2 - Metsger, Monnes Anderson
		Hearing no objection, declares the motion CARRIED.
338	Chair Morrisette Sen. Kruse	MOTION: Moves SB 430 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 3-0-2
		EXCUSED: 2 - Metsger, Monnes Anderson
		Hearing no objection, declares the motion CARRIED.
		SEN. MORRISETTE will lead discussion on the floor.
350	Chair Morrisette	Closes the work session on SB 430. Opens a public hearing on SB 443.

SB 443 – PUBLIC HEARING

Rick Berkobien

385

Sen. Kruse

398

Chair Morrisette

SB 443 – WORK SESSION

410

Sen. Kruse

420

Chair Morrisette

Sen. Kruse

TAPE 54, A

020

Chair Morrisette

SB 605 – PUBLIC HEARING

Rick Berkobien

025

Chair Morrisette

SB 605 – WORK SESSION

030

Sen. Kruse

040

Chair Morrisette

Sen. Kruse

050

Chair Morrisette

060

Sen. Kruse

061

Chair Morrisette

SB 781 – PUBLIC HEARING

070

Rick Berkobien

075

Chair Morrisette

Committee Administrator. Introduces the -5 amendments to SB 443 **(EXHIBIT J)**.

Explains the bill.

Comments on the intent of SB 443. Seeing no witnesses, closes the public hearing and opens a work session on SB 443.

MOTION: Moves to ADOPT SB 443-5 amendments dated 4/1/05.

VOTE: 3-0-2

EXCUSED: 2 - Metsger, Monnes Anderson

Hearing no objection, declares the motion CARRIED.

MOTION: Moves SB 443 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.

VOTE: 3-0-2

EXCUSED: 2 - Metsger, Monnes Anderson

Hearing no objection, declares the motion CARRIED.

SEN. KRUSE will lead discussion on the floor.

Closes the work session on SB 443 and opens a public hearing on SB 605.

Committee Administrator. Introduces the -3 amendments to SB 605 **(EXHIBIT K)**.

Seeing no witnesses, closes the public hearing and opens a work session on SB 605.

MOTION: Moves to ADOPT SB 605-3 amendments dated 3/30/05.

VOTE: 3-0-2

EXCUSED: 2 - Metsger, Monnes Anderson

Hearing no objection, declares the motion CARRIED.

MOTION: Moves SB 605 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.

VOTE: 3-0-2

EXCUSED: 2 - Metsger, Monnes Anderson

Hearing no objection, declares the motion CARRIED.

SEN. BATES will lead discussion on the floor.

Explains the process of the Ways and Means committee to the audience.

Explains how bills can have a referral to the Ways and Means committee, but with amendments can have no fiscal impact.

Comments on other circumstances. Closes the work session on SB 605 and opens a public hearing SB 781.

Committee Administrator. Explains the bill and introduces the -1 amendments to SB 781 **(EXHIBIT L)**.

Seeing no witnesses, closes the public hearing and opens a work session on SB 781.

SB 781 – WORK SESSION

080	Sen. Kruse	MOTION: Moves to ADOPT SB 781-1 amendments dated 3/30/05. VOTE: 3-0-2 EXCUSED: 2 - Metsger, Monnes Anderson Hearing no objection, declares the motion CARRIED.
090	Chair Morrisette Sen. Kruse	MOTION: Moves SB 781 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 - Metsger, Monnes Anderson Hearing no objection, declares the motion CARRIED. SEN. MORRISETTE will lead discussion on the floor.
100	Chair Morrisette	Closes the work session on SB 781. Adjourns the meeting at 3:37 p.m.

EXHIBIT SUMMARY

- A. Long-term Care Issues, fact sheet, Chad Martin, 1 p
- B. Long-term Care Issues, PowerPoint presentation, James Carlson, 11 pp
- C. Oregon Project Independence Modernization Act of 2005, informational packet, Jacqueline Zimmer, 23 pp
- D. Long-term care and Access to Prescription Drugs, written testimony, Alicia Juber, 4 pp
- E. Long-term care and Access to Prescription Drugs, written testimony, Terry Haydon, 2 pp
- F. SB 870, written testimony, Dolores Hubert, 2 pp
- G. SB 430, -3 amendments, staff, 1 p
- H. SB 430, -2 amendments, staff, 1 p
- I. SB 430, written testimony, May Dasch, 1 p
- J. SB 443, -5 amendments, staff, 2 pp
- K. SB 605, -3 amendments, staff, 1 p
- L. SB 781, -1 amendments, staff, 1 p