

SENATE COMMITTEE ON HUMAN SERVICES

April 26, 2005
3:00 P.M.

Hearing Room D
Tapes 68 - 69

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**
 Brittany Kenison, Committee Assistant

MEASURES/ISSUES HEARD:
 SB 885 – Public Hearing and Work Session
 SB 895 – Public Hearing and Work Session
 SB 1026 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 68, A		
004	Chair Morrisette	Calls the meeting to order at 3:10 p.m. Opens a public hearing on SB 885.
<u>SB 885 - PUBLIC HEARING</u>		
005	Rick Berkobien	Committee Administrator. Explains SB 885 and introduces the - 2 amendments (EXHIBIT A).
020	Roy Schear	Legislative Intern, Sen. Charlie Ringo, Senate District 17. Testifies in support of SB 885.
030	Sue Abrams	Administrator, Office of Prevention and Transitional Benefits, Children, Adults and Families, Oregon Department of Human Services (DHS). Submits and presents written testimony in opposition to SB 885 (EXHIBIT B).
034	Sen. Kruse	Asks question regarding a "full" waiver.
035	Abrams	Answers question. States concerns regarding federal level.
042	Sen. Kruse	Asks how much time is involved in putting together a waiver. Asks question regarding the sunset provision.
055	Abrams	Responds.
064	Schear	Speaks about the sunset provision and the waiver for DHS.
072	Sen. Kruse	Discusses possible changes to the sunset provision in SB 885.
085	Chair Morrisette	Asks Abrams why she is in opposition to the bill.
087	Abrams	Testifies why DHS is in opposition to the bill.
098	Chair Morrisette	Asks Abrams if she could estimate the fiscal impact.
100	Abrams	Answer, no. Elaborates.
102	Chair Morrisette	Asks Abrams if she has any other objections to SB 885 other than a possible fiscal impact.
103	Abrams	Answers, no.
106	Berkobien	Asks question regarding DHS providing fiscal projections.
112	Abrams	Responds.
126	Sen. C. Starr	Asks if a fiscal statement has been received.

128	Berkobien	Answers, no.
129	Sen. C. Starr	Recommends that the bill should move to the Senate floor.
133	Sen. Morrisette	States that the Senate President's Office will make the decision. Asks Schear why the sunset provision is set for the year 2016.
143	Schear	Responds.
147	Chair Morrisette	Asks Sen. Kruse if the ten year sunset provision is too long.
154	Sen. Kruse	Responds. Discusses concerns regarding the application process.
160	Abrams	Addresses Sen. Kruse's concerns regarding the application process.
172	Sen. Kruse	Comments on the history of Oregon's waiver application process.
185	Schear	States his understanding of the waiver acceptance and denial procedure.
195	Sen. Kruse	Comments on using discretion when applying for an annual waiver.
209	Chair Morrisette	States that a work session will be held.
215	Sen. Monnes Anderson	States why she is opposed to the bill.
235	Chair Morrisette	Closes the public hearing and opens a work session on SB 885.
<u>SB 885 – WORK SESSION</u>		
238	Sen. Kruse	MOTION: Moves to ADOPT SB 885-2 amendments dated 4/26/05.
240	Sen. Kruse	Comments regarding the ambiguity in the -2 amendments.
245		VOTE: 4-1-0 AYE: 4 - Metsger, Monnes Anderson, Starr C., Morrisette NAY: 1 - Kruse The motion CARRIES.
248	Chair Morrisette Sen. Kruse	MOTION: Moves SB 885 to the floor with a DO PASS AS AMENDED recommendation.
249		VOTE: 3-2-0 AYE: 3 - Metsger, Starr C., Morrisette NAY: 2 - Kruse, Monnes Anderson The motion CARRIES.
	Chair Morrisette	SEN. RINGO will lead discussion on the floor.
250	Chair Morrisette	Closes the work session on SB 885 and opens a public hearing on SB 895.
<u>SB 895 – PUBLIC HEARING</u>		
265	Rick Berkobien	Committee Administrator. Explains SB 895 and introduces the -1 amendments (EXHIBIT C).
280	Una Swanson	Program Manager, Child Protective Services, Oregon Department of Human Services (DHS). Submits and presents written testimony in opposition to SB 895 and the -1 amendments (EXHIBIT D).
302	Chair Morrisette	Asks Swanson if they contract with the Oregon Department of Justice (DOJ).
304	Swanson	Answers question.
307	Chair Morrisette	Asks Kevin Neely question regarding the contract between the DOJ and DHS.
314	Kevin Neely	Assistant, Attorney General Hardy Myers. Answers that the billing department will charge the normal billing rate for the production of instructional videos. States that they may be able to lower the cost.
334	Chair Morrisette	Asks Neely to clarify the fiscal impact.

336	Neely	Provides clarification.
340	Chair Morrisette	Asks if written material is included with the instructional video.
345	Neely	Responds, yes. Elaborates.
350	Chair Morrisette	Comments on sending SB 895 to the Senate floor.
370	Roger Williams	OCEAN At Work. Submits and presents an informational packet on past legislation (EXHIBIT E) and a report sample manual entitled, "The Constitution and Child Protective Services," (EXHIBIT F) in support of SB 895 with the -1 amendments.
TAPE 69, A		
020	Williams	Continues to testify in support of SB 895 with the -1 amendments.
055	Chair Morrisette	Closes the public hearing and opens a work session on SB 895.
<u>SB 895 – WORK SESSION</u>		
060	Sen. Kruse	MOTION: Moves to ADOPT SB 895-1 amendments dated 4/15/05.
062	Sen. Monnes Anderson	States concerns with the bill.
080		VOTE: 5-0-0
	Chair Morrisette	Hearing no objection, declares the motion CARRIED.
083	Sen. Kruse	MOTION: Moves SB 895 to the floor with a DO PASS AS AMENDED recommendation.
085	Chair Morrisette	States why he supports the bill.
095		VOTE: 4-1-0
		AYE: 4 - Kruse, Metsger, Starr C., Morrisette
		NAY: 1 - Monnes Anderson
	Chair Morrisette	The motion CARRIES.
		SEN. KRUSE will lead discussion on the floor.
100	Chair Morrisette	Closes the work session on SB 895 and opens a public hearing on SB 1026.
<u>SB 1026 – PUBLIC HEARING</u>		
105	Rick Berkobien	Committee Administrator. Explains SB 1026 and introduces the -1 amendments (EXHIBIT G).
135	Kathy Loretz	Director of Operations, Public Employees Benefit Board (PEBB).
138	Chair Morrisette	Asks Loretz to clarify the fiscal impact for SB 1026.
141	Loretz	Responds.
145	Sen. Monnes Anderson	Asks how many members belong to PEBB.
147	Loretz	Answers, 106,000 members.
150	John Powell	Regence BlueCross BlueShield – Oregon. Submits and presents written testimony regarding SB 1026 (EXHIBIT H).
152	Chair Morrisette	Asks about changing the exam to a bi-annual check-up.
157	Powell	Responds.
160	Chair Morrisette	Asks if exams are offered on a bi-annual basis.
162	Powell	States his understanding of the benefits offered by PEBB.
176	Chair Morrisette	Asks if the mandate would allow patients to take the exam.
178	Powell	Responds, yes.
179	Chair Morrisette	Asks to clarify that Regence does not currently cover the full cost of the exam.
182	Powell	Responds that they are not covered under the PEBB program, unless ordered by a physician.
190	Chair Morrisette	Asks to verify that the exam would be fully covered by PEBB

196	Powell	with a referral from the doctor.
202	Chair Morrisette	Responds that it would depend on the doctor's note. Elaborates.
220	Sen. C. Starr	Provides example regarding PEBB employee coverage.
		Comments on the money saved by the patient and the insurance company for early prevention.
242	Powell	Discusses the increased cost of exams and treatment.
290	Sen. C. Starr	Comments regarding exams.
300	Powell	Comments on health centers and exams.
314	Elise Brown	America's Health Insurance Plans. Introduces herself.
318	Chair Morrisette	Asks Abrams if she received the fiscal information from Regence.
320	Abrams	Responds, yes. Elaborates.
330	Chair Morrisette	Asks Abrams to clarify statistics.
332	Abrams	Provides clarification.
343	Chair Morrisette	Asks Abrams if the number of members in the analysis is fifteen thousand (15,000) for the annual exam.
350	Abrams	Responds, yes.
353	Sen. Metsger	Comments on the analysis provided using the number of incidents among the fifteen thousand (15,000) members.
380	Abrams	Comments regarding number received from Regence.
385	Brown	Comments on program from other health plans.
400	Chair Morrisette	Comments on holding the work session until amendments are received. Discusses exams advised by physicians. Asks Sen. C. Starr to comment regarding how often a exam should be conducted.
425	Sen. C. Starr	Responds.
435	Chair Morrisette	States that amendments are needed.
440	Sen. Metsger	States why he would be more comfortable with the bi-annual exam.
TAPE 68, B		
015	Chair Morrisette	Asks Sen. C. Starr about exams performed in a clinic.
018	Sen. C. Starr	Responds.
020	Chair Morrisette	Asks question regarding exams ordered by a doctor.
021	Brown	Answers question.
022	Chair Morrisette	Asks question regarding patients requesting to have the exam.
023	Brown	Responds.
028	Chair Morrisette	Comments on tracking the 15,000 members.
035	Berkobien	Asks for data from other states that have mandated annual prostate exams. Asks how Regence will be impacted by the bill.
042	Chair Morrisette	Comments that Regence is in negotiations with PEBB.
043	Loretz	Reiterates that they are in negotiations.
048	Sen. Monnes Anderson	Discusses cost containment for healthcare and allowing insurance companies to have flexibility.
065	Sen. C. Starr	Comments on previous legislation passed for women.
071	Chair Morrisette	Closes the public hearing on SB 1026. Adjourns the meeting at 4:18 p.m.

EXHIBIT SUMMARY

A. SB 885, -2 amendments, staff, 1 p

B. SB 885, written testimony, Sue Abrams, 2 pp

- C. SB 895, -1 amendments, staff, 1 p**
- D. SB 895, written testimony, Una Swanson, 2 pp**
- E. SB 885, informational packet, Roger Williams, 3 pp**
- F. SB 885, sample manual, Roger Williams, 17 pp**
- G. SB 1026, -1 amendments, staff, 1 p**
- H. SB 1026, written testimony, John Powell, 1 p**