

## SENATE COMMITTEE ON RULES

April 07, 2005  
8:30 A.M.

Hearing Room 343  
Tapes 41 - 42

**MEMBERS PRESENT:** Sen. Kate Brown, Chair  
Sen. Ted Ferrioli, Vice-Chair  
Sen. Jason Atkinson

**MEMBER EXCUSED:** Sen. Charlie Ringo  
Sen. Frank Shields

**STAFF PRESENT:** Tiffany Harris, Committee Administrator  
Patricia Nielsen, Committee Assistant

**MEASURE/ISSUES HEARD:**  
SB 849 – 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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 41, A</b>		
005	Chair Brown	Calls the meeting to order at 8:38 a.m. Opens as subcommittee (with Brown and Ferrioli). Opens a public hearing on SB 849.
<b><u>SB 849 – PUBLIC HEARING</u></b>		
010	Tiffany Harris	Committee Administrator. Presents an overview of SB 849.
020	Sen. Richard Devlin	Senate District 19. Testifies in support of SB 849. Discusses why victims of sexual assaults need safe and effective options to protect themselves against an unwanted pregnancy.
050	Sen. Devlin	Denies that the intent of the bill is to bar a pharmacist from filling a prescription for emergency contraception, introduces -2 amendments ( <b>EXHIBIT A</b> ).
060	Rep. Carolyn Tomei	House District 41. Submits and summarizes written testimony in support of SB 849 ( <b>EXHIBIT B</b> ).
085	Chair Brown	Clarifies that emergency contraception is not RU - 486 and not an abortive method.
095	Hardy Myers	Attorney General, State of Oregon. Speaks to the role of the Attorney General's Sexual Assault Task Force and why the Task Force came forward with SB 849.
100	Phyllis Barkhurst	Executive Director, Attorney General's Sexual Assault Task Force. Summarizes why it is necessary for victims of sexual assault to have access to emergency contraception. Submits written testimony in support of SB 849 ( <b>EXHIBIT C</b> ).
145	Dr. Jeffrey Jensen	Director of the Center for Women's Health, Oregon Health and Science University (OHSU). Submits and summarizes written testimony in support of SB 849 ( <b>EXHIBIT D</b> ).
170	Dr. Jensen	Explains how emergency contraception works and cites clinical studies as evidence of effectiveness.
200	Dr. Jensen	Citing several studies, debunks the idea that access to emergency contraception increases risky sexual behavior amongst women ( <b>EXHIBIT D, Page 2</b> ).

210	Sen. Atkinson	Asks how women currently attain emergency contraception.
215	Dr. Jensen	Explains how a woman must get a prescription from a medical practitioner and identifies numerous barriers that complicate the process.
245	Barkhurst	Points out that emergency rooms usually give a prescription to a sexual assault victim, but that varies from hospital to hospital.
250	Sen. Atkinson	Asks whether a hospital can choose not to dispense emergency contraception.
260	Harris	Explains that dispensing emergency contraception is voluntary.
262	Dr. Jensen	Confirms that, under current law, a pharmacist can refuse to dispense emergency contraception and that is not changed by SB 849.
275	Tom Holt	Executive Director, Oregon State Pharmacy Association (OSPA). Testifies in support of SB 849 with amendments. Submits -2 amendments ( <b>EXHIBIT E</b> ).
290	Holt	Discusses availability of emergency contraceptives in an increasing number of areas.
300	Holt	Explains -1 amendments and why OSPA supports them.
345	Holt	Explains -2 amendments and why OSPA supports them.
375	Sen. Ferrioli	Comments how a solution might be to improve the connection between physicians and pharmacists or to grant pharmacists the authority to prescribe it.
385	Holt	Explains what authority pharmacists have to “prescribe” emergency contraceptives under the provisions of SB 849.
395	Sen. Ferrioli	Asks if pharmacists have the authority to prescribe emergency contraception.
405	Holt	States that some states do give pharmacists the authority to prescribe emergency contraception and some states grant pharmacists the authority to prescribe drugs generally.
415	Chair Brown	Asks for examples of what pharmacists can prescribe.
420	Holt	States that pharmacists most commonly prescribe emergency contraceptives, immunizations, and antihistamines for short-term use noting that pharmacists do “prescribe” over-the-counter medicine all the time.
<b>TAPE 42, A</b>		
010	Katherine Bradley	Administrator of the Office of Family Health, Oregon Department of Human Services. Compares the cost of emergency contraception to the cost of an unintended pregnancy.
020	Chair Brown	Verifies that SB 849 saves the state money.
025	Denise Washington	Executive Director, Oregon Coalition Against Domestic and Sexual Violence. Submits and summarizes written testimony in support of SB 849 ( <b>EXHIBIT F</b> ).
030	Kappy Eaton	Government Coordinator, League of Women Voters of Oregon. Submits and summarizes written testimony in support of SB 849 ( <b>EXHIBIT G</b> ).
080	Scott Ballo	Board Member NARAL Pro-Choice Oregon. Testifies in support of SB 849. Submits written testimony in support of SB 849 ( <b>EXHIBIT H</b> ).
090	Marcia Kelley	Lobbyist, Oregon Women’s Rights Coalition. Clarifies the position of The Vatican for Catholic hospitals regarding dispensing emergency contraception. Submits written testimony in support of SB 849 ( <b>EXHIBIT I</b> ).
110	Tom Britton	Pharmacist, Lane County. Submits and summarizes written testimony in support of SB 849 ( <b>EXHIBIT J</b> ).

155	Chair Brown	Questions the availability of emergency contraception to women in rural areas, whom may not have immediate access to a doctor.
160	Britton	Discusses the barriers that all women face getting emergency contraceptives.
162	Chair Brown	Verifies that a nurse practitioner can prescribe emergency contraception.
<b>The following written material is submitted for the record without public testimony:</b>		
	Becca Uherbelau	Executive Director, Planned Parenthood Advocates of Oregon. Submits written testimony in support of SB 849 ( <b>EXHIBIT K</b> ).
175	Chair Brown	Closes the public hearing on SB 849. States the intention of the Chair is to move the bill, noting the need to discuss some technical amendments with the Oregon Medical Association.
180	Chair Brown	Recesses the meeting at 9:20 a.m.
185	Chair Brown	Reconvenes the meeting at 9:28 a.m. Adjourns the meeting at 9:29 a.m.

### **EXHIBIT SUMMARY**

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- A. SB 849, -2 amendments, staff, 1 p**
- B. SB 849, written testimony, Rep. Carolyn Tomei, 1 p**
- C. SB 849, written testimony, Phyllis Barkhurst, 2 pp**
- D. SB 849, written testimony, Dr. Jeffrey Jensen, 2 pp**
- E. SB 849, -1 amendments, Tom Holt, 1 p**
- F. SB 849, written testimony, Denise Washington, 1 p**
- G. SB 849, written testimony, Kappy Eaton, 1 p**
- H. SB 849, written testimony, Scott Ballo, 1 p**
- I. SB 849, written testimony, Marcia Kelley, 1 p**
- J. SB 849, written testimony, Tom Britton, 7 pp**

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

- K. SB 849, written testimony, Becca Uherbelau, 1 p**