HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES

March 24, 2003 Hearing Room D 8:30 A.M. Tapes 62 – 64

MEMBERS PRESENT:	Rep. Jeff Kruse, Chair Rep. Billy Dalto, Vice-Chair Rep. Carolyn Tomei, Vice-Chair Rep. Gordon Anderson Rep. Jeff Barker Rep. Laurie Monnes Anderson Rep. Ben Westlund
STAFF PRESENT:	Sandy Thiele-Cirka, Committee Administrator Mara McGraw, Committee Assistant
MEASURES HEARD:	HB 2124 – Work Session HB 2126 – Work Session HB 2240 – Work session HB 2018 – Public Hearing HB 2462 – Public Hearing

These minutes are in compliance with Senate and House Rules. <u>Only text enclosed in quotation marks reports a speaker's exact words.</u> For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments	
TAPE 62, A			
007	Chair Kruse	Calls meeting to order at 8:45 A.M. and opens work session on HB 2124.	
HB 2124 – W	ORK SESSION		
009	Sandy Thiele-Cirka	Administrator. Summarizes bill and -1 amendment dated 3/20/03 (EXHIBIT A). Submits budget overview (EXHIBIT B).	
031	Rep. Monnes Anderson	MOTION: Moves to ADOPT HB 2124-1 amendments dated 3/20/03.	
032		VOTE: 6-0-1	
		EXCUSED: 1 - Westlund	
033	Chair Kruse	Hearing no objection, declares the motion CARRIED.	
035	Rep. Tomei	Questions if Oregon Commission on Children and Families (OCCF) supports the -1 amendment.	
045	Donna Middleton	Director, OCCF. Speaks to current process of local partners participating in budget decisions.	
066	Rep. Tomei	Questions if the bill and the -1 amendment impact the budget.	
071	Middleton	Explains budget process.	
076	Rep. Tomei	Clarifies impact on local and state commissions.	
079	Middleton	Notes budget is not impacted. Reports additional support and length of process due to bill.	
085	Chair Kruse	Explains impact is in next biennium.	
088	Rep. Tomei	Questions which biennium.	
089	Chair Kruse	Clarifies 2005-07 budget.	
094	Rep. Anderson	MOTION: Moves HB 2124 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.	
097		VOTE: 6-0-1	

		AYE: EXCUSED:	In a roll call vote, all members present vote AYE. 1 - Westlund
099 100	Chair Kruse Chair Kruse	The motion	CARRIES. session on HB 2124 and opens work session on HB
100	Chan Kruse	2126.	session on TID 2124 and opens work session on TID
<u>HB 2126 – WO</u>			
103	Thiele-Cirka		bill and -1 amendments dated 2/17/03 (EXHIBIT C) dments dated 3/4/03 (EXHIBIT D). Notes conceptual .
130	Chair Kruse	Notes subseq	uent referral.
134	Rep. Monnes Anderson	Submits vote	explanation.
146	Chair Kruse	amendment i clause and ac	amendment regarding Head Start. Speaks to -1 regarding funding. Speaks to removal of emergency ddition of effective date.
	Rep. Barker	MOTION:	Moves to ADOPT HB 2126-1 amendments dated 2/17/03.
186		VOTE:	6-0-1
		EXCUSED:	1 - Westlund
187	Chair Kruse	Hearing no	objection, declares the motion CARRIED.
188	Rep. Barker		Moves to ADOPT HB 2126-2 amendments dated 3/4/03.
189		VOTE:	6-0-1
		EXCUSED:	1 - Westlund
190	Chair Kruse	Hearing no	objection, declares the motion CARRIED.
193	Rep. Barker	MOTION:	Moves to SUSPEND the rules for the purpose of consideration of conceptual amendments.
194		VOTE: EXCUSED:	6-0-1 1 - Westlund
195	Chair Kruse		objection, declares the motion CARRIED.
196	Rep. Barker	MOTION:	Moves to AMEND HB 2126 on page 4, line 29, after "programs," delete "funded with state alcohol and drug abuse funds," and on page 5, line 7, after "February 1," change "2005 to 2007," and on page 5, line 7, after "Seventy," change "third to fourth," and on page 5, line 9, delete " <u>Section 7</u> ," and on page 5, line 9, insert "This 2003 Act takes effect July 1, 2005. ".
210	Rep. Anderson	Inquires on H	
212	Chair Kruse		d Start is removed with -2 amendments.
217		VOTE:	6-0-1
		EXCUSED:	1 - Westlund
218 219	Chair Rep. Barker		objection, declares the motion CARRIED. Moves HB 2126 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
224	Rep. Tomei		e explanation.
227	Rep. Monnes Anderson	Comments of	n budget issues.
247		VOTE:	4-2-1
		AYE:	4 - Anderson, Barker, Dalto, Kruse
		NAY: EXCUSED:	2 - Monnes Anderson, Tomei

251	Chair Kruse	The motion CARRIES.		
232	Chair Kruse	Closes work session on HB 2126 and opens work session on HB 2240.		
<u>HB 2240 – WO</u>	RK SESSION			
254	Thiele-Cirka	Summarizes bill, the -1 amendments dated 3/11/03 (EXHIBIT E) and the -2 amendments dated 3/20/03 (EXHIBIT F). Submits written testimony from Jane Myers, representing the Oregon Dental Association (EXHIBIT G).		
279	Rep. Anderson	Comments on -2 amendments.		
301	Rep. Anderson	MOTION: Moves to ADOPT HB 2240-2 amendments dated 3/20/03.		
303	Rep. Monnes Anderson	Request Board testify relating to the rule.		
305	Jo Ann Bones	Executive Director, Board of Dentistry. Addresses board's ability to develop rule. Notes the board opposes the -1 amendments.		
335	Rep. Monnes Anderson	Inquires on limited access settings.		
342	Bones	States the need for statutory change. Explains request from Board of Dentistry.		
361	Rep. Tomei	Inquires on relationship between Board of Dentistry and ODA.		
363	Bones	Defines role of each agency.		
317	Rep. Tomei	Questions the areas of concerns regarding the amendment.		
391	Rep. Anderson	Speaks to issues between ODA and Board of Dentistry regarding dental quality and expanding role of hygienists.		
429	Rep. Monnes Anderson	Discusses patient access issues.		
465	Rep. Anderson	Discusses scope of authority over dental assistants.		
TAPE 63, A	I	1 5		
029	Bones	Explains roles of hygienists and assistants altered by amendments.		
043	Rep. Anderson	Notes difference between office care and limited access practices. Comments on quality of care.		
076	Bones	Explains hygienists can not have their own practice.		
077	Rep. Anderson	Notes limited access permit practices.		
080	Bones	Defines limited access dental practice.		
087	Rep. Tomei	Questions the work performed by assistant under supervision of hygienist.		
090	Bones	Explains duties performed by assistants.		
113	Rep. Westlund	Questions the impact with and without -2 amendments.		
118	Bones	Explains specifics of impact without amendments.		
149	Rep. Dalto	Inquires on limited access situations as it relates to use of assistants by hygienists.		
155	Bones	Explains hygienists may act as independent contractors.		
202	Rep. Tomei	Questions the general supervision of dental assistants.		
218	Bones	Explains language as it relates to supervision.		
230	Rep. Anderson	Clarifies hygienists in regard to four-handed dentistry.		
244	Chair Kruse	Speaks to patient management in limited access situations.		
265	Rep. Barker	Comments on use of assistants in limited access settings.		
300		VOTE: 3-4-0		
		AYE:3 – Anderson, Dalto, WestlundNAY:4 - Barker, Monnes Anderson, Tomei, Kruse		
301	Chair Kruse	The motion FAILS.		
307	Chair Kruse	Orders committee to stand at ease.		
	lence during stand at eas			
325	Chair Kruse	Explains options regarding HB 2240.		

347 VOTE: 7-0-0 355 Chair AYE: In a roll call vote, all members present vote AYE. 356 Chair MONES ANDERSON will lead discussion on the floor. 360 Chair Kruse Closes work session on HB 2240 and opens public hearing on HB 2018. 361 B2018 - PUBLIC HEARING Summarizes bill. 362 Thicle-Cirka Summarizes bill. 381 Vern Saboe M.D. President, Chiropractic Association of Oregon. Submits written testimony in support of bill (EXHIBIT H). Addresses three mechanisms by which insurance agencies restrict access. 7APE 62, B Ontinues presentation on insurance mechanisms used to restrict access. Comments on SB 55, companion bill. 061 Rep. Westlund Inquires on auto insurance and managed care systems. 063 Rep. Barker Questions review process 083 Rep. Darker Questions review process used by insurance companies. 160 Rep. Dalto Inquires on adment related to chiropractic care. 162 Freeman Explains assesment process used by insurance system. 164 Rep. Barker Comment rol ad participation of chioce. Discusse injuries as they related to managed care. 174 William Dallas President, Western States Chiropractic care. 162 Freeman Explains in accessing provider of choice. Discusses inpuries as they relate to ma	342	Rep. Tomei	MOTION: Moves HB 2240 to the floor with a DO PASS recommendation.
AYE:In a roll call vote, all members present vote AYE.355ChairThe motion CARRIES. MONNES ANDERSON will lead discussion on the floor.360Chair KruseCloses work session on HB 2240 and opens public hearing on HB 2018.362Thiele-CirkaSummarizes bill.381Vern Saboe M.D.President, Chiropractic Association of Oregon. Submits written testimony in support of bill (EXHIBJT H). Addresses three mechanisms by which insurance agencies restrict access.7AFE 62, BContinues presentation on insurance mechanisms used to restrict access. Comments on SB 55, companion bill.061Rep. WestlundInquires on auto insurance and managed care systems. Explains use of passive managed care panels.083Rep. BarkerQuestions review process uses on provider of choice. Discusses injuries as they related to managed care.160Rep. DaltoInquires on comment related to chiropractic care.162FreemanExplains use of choice. Discusse injuries as they related to managed care.164Rep. DaltoInquires on comment related to chiropractors and restrictions in restrictions in accessing provider of choice. Notes personal background in insurance and flaws in insurance system.264Rep. BarkerComments on use of independent medical exam. Suggests cooperative effort between providers.264Rep. BarkerComments on use of independent medical exam.264Rep. BarkerComments on use of independent medical exam.264Rep. BarkerComments on use of independent medical exam.264Rep. BarkerComments on use of indepe	347		
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	083	John Powell	÷

194Jack BarnesReports bill is not in consumers' best i Farmers Insurance. Testifies in opposit State Accident Insurance Fund Corpor in opposition to HB 2462.209Chair KruseCloses public hearing on HB 2018 and HB 2462. HB 2462 – PUBLIC HEARING 212Summarizes bill. Submits written testi Gordly (EXHIBIT I).	e premium data. Notes nsurance (NAII). Testifies uage regarding managed illegal if bill passed.
198Lana ButterfieldState Accident Insurance Fund Corpor in opposition to HB 2462.209Chair KruseCloses public hearing on HB 2018 and HB 2462.HB 2462 – PUBLIC HEARING 212Thiele-CirkaSummarizes bill. Submits written testing	
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219 Chair Kruse Comments on related bills.	
236 James Edge Acting Assistant Administrator, Office Programs (OMAP), Health Services, I Services (DHS). Submits written testin Reports on constitutionality of bill. No required by Oregon Health Plan (OHP meet current residency requirements.	Department of Human mony (EXHIBIT J) . otes current documents
289Chair KruseQuestions constitutional issue.	
298EdgeDefers to legislative counsel. Explains on constitution and federal regulations	5.
311 Chair Kruse Notes citations (EXHIBIT I) refer to bimpression that requirements could be	
230 Rep. Westlund Questions the state's ability to better d residency requirements.	efine and tighten up current
338EdgeRemarks on possibilities of tightening	residency requirements.
364 Rep. Barker Inquires on resident requirements for C	OHP.
369EdgeIdentifies federal requirements.	
283Rep. BarkerQuestions the quantity of residency ab	
395EdgeReports abuses are not significant issue	
406Rep. TomeiNotes documents required to establish	
414 Edge Explains consumers' written statement	
429 Chair Kruse Speaks to ability to waive requirement	
437 Rep. Anderson Inquires on documents for other states	*
457 Edge Notes all states conform to federal reg	
467 Chair Kruse Comments on portability of Medicaid. OMAP.	Requests language from
TAPE 64, A	
041 Scott Taylor Assistant Director, Oregon Departmen written testimony including proposed a (EXHIBIT K). Speaks to issues of for OHP after release. Suggests alternative	amendment language rmer inmates accessing e forms of identification.
070 Chair Kruse Explains intent in working with Depar	tment of Corrections.
078 Rep. Westlund Inquires on Oregon Trail card.	
080 Chair Kruse Explains electronic food stamps. Close 2462 and adjourns meeting at 10:37 A	

EXHIBIT SUMMARY

- A HB 2124, -1 amendments, dated 3/20/03, Staff, 1p.
- B HB 2124, budget overview, Staff, 4 pp.
- C HB 2126, -1 amendments, dated 2/17/03, Staff, 1 p.
- D HB 2126, -2 amendments, dated 3/4/03, Staff, 1 p.
- E HB 2240, -1 amendments, dated 3/11/03, Staff, 1 p.
- F HB 2240, -2 amendments, dated 3/20/03, Staff, 1p.
- G HB 2240, written testimony, J, Myers, 10 pp.
- H HB 2018, written testimony, V. Saboe, 1 p.
- I HB 2462, written testimony, Senator A. Gordly, 3 pp.
- J HB 2462, written testimony, J. Edge, 2 pp.
- K HB 2462, written testimony, S. Taylor, 4 pp.