

HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES

April 11, 2003 Hearing Room D
8:30 A.M. Tapes 82 – 85

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: 2153 – Work Session
2631 – Work Session
3508 – Work Session
2963 – Public Hearing
3394 – Public Hearing
3378 – Public Hearing
2842 – Public Hearing
2888 – Public Hearing
3286 – Public Hearing
3570 – Public Hearing
3411 – 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> |
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| TAPE 82, A | | |
| 001 | Chair Kruse | Calls meeting to order at 8:40 A.M. |
| <u>POSSIBLE RECONSIDERATION</u> | | |
| 002 | Chair Kruse | Requests unanimous consent that the rules be suspended for the purpose of reconsideration of HB 2153. VOTE: 6-0-1 EXCUSED: 1 - Dalto |
| 005 | Chair Kruse | Hearing no objection, declares the motion CARRIED. |
| <u>HB 2153 – WORK SESSION</u> | | |
| 006 | Chair Kruse | Requests unanimous consent that the motion on HB 2153 be reconsidered. |
| 007 | | VOTE: 6-0-1 EXCUSED: 1 - Dalto |
| 008 | Chair Kruse | Hearing no objection, declares the motion CARRIED. |
| 010 | Rep. Tomei | MOTION: Moves HB 2153 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference. |
| 013 | Rep. Monnes Anderson | Questions Ways and Means referral. |
| 015 | Chair Kruse | Notes the need for the bill to move to Ways and Means. |
| 030 | | VOTE: 5-1-1 |

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| | | AYE: 5 - Anderson, Barker, Tomei, Westlund, Kruse |
| | | NAY: 1 - Monnes Anderson |
| | | EXCUSED: 1 - Dalto |
| | | The motion CARRIES. |
| 034 | Chair Kruse | |
| 035 | Chair Kruse | Closes work session on HB 2153 and opens work session on HB 2631 |
| <u>HB 2631 – WORK SESSION</u> | | |
| 038 | Sandy Thiele-Cirka | Administrator. Summarizes bill and -2 amendments, dated 4/8/03 (EXHIBIT A) and -3 amendments, dated 4/10/03 (EXHIBIT B). |
| 056 | Rep. Bob Jensen | House District 58. Speaks to -3 amendments. |
| 087 | Tim Martinez | Oregon Medical Association (OMA). Notes OMA does not agree with -3 amendments. Comments on certain conditions in which the patient should be in a doctor's office to receive lab results. |
| 102 | Rep. Jensen | Notes potential to deny patient access to lab results. Comments on patient's ability to handle information. Remarks on pregnancy and HIV tests available directly to patient without prescribing physician. |
| 213 | Rep. Monnes Anderson | Expresses concern over patient access to results without consult with a physician. |
| 242 | Rep. Jensen | Notes lab includes additional instructions if additional consultation is necessary. |
| 029 | Rep. Anderson | Acknowledges patients should have access to results. Expresses concern over unexpected results. |
| 347 | Rep. Jensen | Asserts the ordering physician will receive results immediately. Notes results will go concurrently to patient only at patient's request. |
| 377 | Martinez | Reiterates OMA opposition to bill without -3 amendments. |
| 397 | Rep. Westlund | MOTION: Moves to ADOPT HB 2631-2 amendments dated 4/8/03. |
| 402 | Rep. Monnes Anderson | Requests clarification on -2 amendments. |
| 406 | Thiele-Cirka | Summarizes -2 amendments. |
| 428 | | VOTE: 6-0-0 |
| | | EXCUSED: 1 - Dalto |
| 430 | Chair Kruse | Hearing no objection, declares the motion CARRIED. |
| 432 | Rep. Monnes Anderson | MOTION: Moves to ADOPT HB 2631-3 amendments dated 4/10/03. |
| 438 | Rep. Monnes Anderson | Notes specific tests of concern. |
| 444 | Rep. Jensen | Comments on his interest to develop necessary provisions regarding patient access to results. |
| 479 | Rep. Dalto | Inquires on willingness to legislate exceptions for specific tests. |
| 488 | Rep. Jensen | States opposition to such provision. |
| TAPE 83, A | | |
| 023 | Rep. Tomei | Conveys concern over impact of unexpected results. |
| 041 | Chair Kruse | Notes intent regarding -2 amendments. |
| 066 | | VOTE: 2-5-0 |
| | | AYE: 2 - Anderson, Monnes Anderson |
| | | NAY: 5 - Barker, Dalto, Tomei, Westlund, Kruse |
| 071 | Chair Kruse | The motion FAILS. |
| 074 | Rep. Westlund | MOTION: Moves HB 2631 to the floor with a DO PASS AS AMENDED recommendation. |
| 078 | | VOTE: 6-1-0 |

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| | | AYE: 6 - Anderson, Barker, Dalto, Tomei, Westlund, Kruse |
| | | NAY: 1 - Monnes Anderson |
| 080 | Chair Kruse | The motion CARRIES. |
| | | REP. JENSEN will lead discussion on the floor. |
| 083 | Chair Kruse | Closes work session on HB 2631 and opens work session on HB 3508. |

HB 3508 – WORK SESSION

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| 055 | Thiele-Cirka | Summarizes bill. |
| 097 | Rep. Monnes Anderson | Questions Department of Human Services (DHS) opposition. |
| 100 | Chair Kruse | Clarifies amendments were not submitted. |
| 101 | Rep. Anderson | Comments on change of authority over x-ray dental technicians. |
| 120 | Rep. Monnes Anderson | Questions the impact on other professions regarding change in authority. |
| 138 | Rep. Dalto | MOTION: Moves HB 3508 to the floor with a DO PASS recommendation. |
| 141 | | VOTE: 6-1-0 |
| | | AYE: 6 - Anderson, Barker, Dalto, Tomei, Westlund, Kruse |
| | | NAY: 1 - Monnes Anderson |
| 144 | Chair Kruse | The motion CARRIES. |
| | | REP. ANDERSON will lead discussion on the floor. |
| 145 | Chair Kruse | Closes work session on HB 3508 and opens public hearing on HB 2963. |

HB 2963 – PUBLIC HEARING

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| 148 | Thiele-Cirka | Summarizes bill. |
| 165 | Jean Lasater | Oregon Homeless and Runaway Youth Coalition. Submits written testimony in support of bill (EXHIBIT C). Offers data on Oregon target population and programs serving at-risk youth. Presents solutions. |
| 283 | Galen Phipps | Oregon Homeless and Runaway Youth Coalition. Submits written testimony in support of bill (EXHIBIT D). Notes coalition will staff task force. Request findings of task force be discussed in committee during interim. |
| 355 | Donna Middleton | Director, Oregon Commission on Children and Families (OCCF). Submits written testimony in support of bill (EXHIBIT E). Expresses the need to look holistically at youth homelessness with emphasis on prevention. |
| 390 | Ramona Foley | Assistant Director, DHS. Testifies in support of bill. Notes data on homeless and runaway youth, youth employment and school drop-out rate. Reports problem is statewide issue. Notes DHS role in current youth crisis. Emphasizes need to focus on prevention. |

TAPE 82, B

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| 022 | Chair Kruse | Relates intention regarding bill. Directs interested parties to continue as work group throughout the 2003-2004 interim. Closes public hearing on HB2963 and opens public hearing on HB 3384. |
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HB 3394 – PUBLIC HEARING

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| 071 | Rep. Alan Bates | House District 5. Submits written testimony in support of bill (EXHIBIT F). Summarizes bill, proposed amendment language, current system and other state models. |
| 137 | Rep. Vic Backland | House District 25. Details fund increase and trauma programs |

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| | | supported by increase. |
| 170 | Rep. Bates | Speaks to personal injury protection (PIP) increase agreed to by insurers. |
| 176 | Rep. Monnes Anderson | Questions the phone bill increase as it relates to trauma care. |
| 195 | Rep. Bates | Notes public favor for similar increase in California. Notes increase does not impact funds delegated to 9-1-1 system. |
| 220 | Rep. Monnes Anderson | Questions the fee. Comments on fee to agencies and businesses with multiple phones. |
| 225 | Rep. Bates | Clarifies fee increase. Notes Medicaid fund match. |
| 229 | Rep. Backland | Notes benefits of trauma system justify increase. |
| 251 | Rep. Anderson | Questions the PIP funds. |
| 253 | Rep. Bates | Clarifies use of additional PIP funds as they relate to trauma system. |
| 278 | William Long, MD | Trauma Director, Emmanuel Hospital, Portland, Oregon and Chairman of State Trauma Advisory Board. Reads written testimony in support of bill (EXHIBIT G). Offers data on Oregon's trauma system. |
| 387 | Mary Ann Wish | Constituent. Reads written testimony in support of bill (EXHIBIT H). Relates personal story related to trauma services. |
| TAPE 83, B | | |
| 039 | Dick Wilt | Owner, West Ambulance Services, Roseburg, Oregon. Testifies in support of bill. Speaks to staffing of ambulance services. Notes Emergency Medical Services (EMS) does not obtain insurance information at time of service and fee increase will assist with lost revenue. Comments on trauma care in rural Oregon. |
| 087 | Shawn Baird | Paramedic and Owner, Ambulance Service, Woodburn, Oregon and President, State Ambulance Service. Submits written testimony in support of bill (EXHIBIT I). Notes fund increase will help ensure quality of care. Assures bill will not impact 911 funding. |
| 132 | Susan King | Oregon Nurses Association (ONA). Testifies in support of bill. Discusses Poison Center and rural trauma services. |
| 197 | Sandy Giffen | Department Director, Oregon Poison Center. Submits written testimony in support of bill (EXHIBIT J). Relates history of poison center. Notes current funding from Oregon Health and Sciences University (OHSU) may be at risk. Presents data on access to poison center. |
| 282 | Rep. Monnes Anderson | Questions the cost to operate poison center. |
| 283 | Giffen | Notes poison center is most cost effective way to handle poison traumas. |
| 305 | Gail Shibley | Administrator, Office of Public Health Systems, DHS. Submits written testimony in support of bill (EXHIBIT K). Provides overview of Oregon's trauma system. Speaks to cost shift within hospitals. Reports bill address under compensation issue. Notes costs have increased and reimbursements have not. |
| TAPE 84, A | | |
| 003 | Bill Olson | Board Member, Brain Injury Association of Oregon. Submits written testimony in support of bill (EXHIBIT L). Relates personal and professional stories related to trauma services. Reports data on brain injury. Speaks to proposed amendment language. |
| 102 | Chair Kruse | Announces HB 3396 and HB 3439 will not be heard. |

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| 116 | John Powell | State Farm Insurance Company. Speaks to PIP portion of the bill. Provides overview of PIP. |
| 179 | Scott Gallant | Oregon Medical Association (OMA). Submits written testimony in support of bill on behalf of Bruce Bishop and the Oregon Association of Hospitals and Health Systems (EXHIBIT M). Discusses trauma system issues and funding. |
| 245 | Jim Anderson | American College of Emergency Physicians. Submits written testimony in support of bill (EXHIBIT N). Notes additional supporters. |
| 273 | Brant Wolf | Oregon Telecommunications Association. Submits written testimony in opposition to the bill (EXHIBIT O). Addresses impact of fee increase to telecommunications system. Submits written testimony on behalf of David Paulson, Sprint (EXHIBIT P). |
| 316 | Shelley Jensen | Regulatory and Government Affairs Manager, Verizon. Testifies in opposition to bill. Notes change in fee to pay for actual services rather than dispatching. |
| 337 | Ginny Lang | Representing Qwest. Testifies in opposition to bill. Notes current fees included on phone bill to subsidize other services. Comments on fee as it relates to policy change. |
| 389 | Rep. Dalto | Questions the percent of Oregonians that have phone service. |
| 392 | Lang | Offers estimate. |
| 403 | Elise Brown | Representing AT&T. Testifies in opposition of bill. Comments on fee increase. |
| 421 | Richard Koesan | Representing Verizon Wireless. Testifies in opposition to bill. Notes funding of trauma services and 9-1-1 services are separate issues. Comments on impact of fee increase to small business owners. |
| 466 | Hasina Squires | Representing Oregon Association of Public Safety Communications Officers and Oregon Fire District Directors Association. Testifies in opposition to bill. Echoes concern over purity of current tax. Addresses mobile phone locator services not yet enacted in Oregon. |

TAPE 85, A

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| 033 | Kristina Wilde | Manager, Central Lane Communications. Submits written testimony in opposition to bill (EXHIBIT Q). Speaks to policy issues related to transferring fees to support trauma services. |
| 050 | Larry Hatch | Assistant Director, Washington County 911 Center. Notes funding should be generated by a separate tax not 911 fee. |
| 058 | Chair Kruse | States intent regarding bill. Closes public hearing on HB 3394 and opens public hearing on 3378. |

HB 3378 – PUBLIC HEARING

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| 070 | Thiele-Cirka | Summarizes HB 3378. |
| 083 | Michael Bond | CEO, PrimeCare, Inc. Submits written testimony in support of bill (EXHIBIT R). Details health benefit program. Lists companies currently using this type of plan. Speaks to stability plan offers to employers and employees. |
| 232 | Gallant | Acknowledges merits of bill. Comments on pre-tax accounts for medical expenses. Notes funds paid by employer and do not impact employee wages. |
| 284 | Bond | Notes gains to physicians are patient relationship focused not economic. Emphasizes focus on price stability not price savings. |
| 341 | Rep. Anderson | Questions source of account balance. |
| 345 | Bond | Explains policy and administration process. |

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| 357 | Rep. Anderson | Requests clarification on ownership of balance. |
| 358 | Bond | Reports balance is property of employee. |
| 396 | Cindy Robert | Pacific Source Health Plans. Testifies in support of program but notes statute is not necessary. Discusses health reimbursement plan currently being negotiated between private carriers. |
| 404 | John Powell | Regence Blue Cross/Blue Shield. Testifies in opposition to bill. Notes similar bill currently in Senate. Disagrees with specific deductible rates as they relate to administrative costs. |
| 456 | Bond | Notes second paragraph of written testimony (EXHIBIT R) clarifies deductible issues. |
| 476 | Chair Kruse | Closes public hearing on HB 3378. |
| <u>HB 2842 – PUBLIC HEARING</u> | | |
| 477 | Chair Kruse | Opens public hearing on HB 2842 and closes public hearing on HB 2842. |
| <u>HB 2888 – PUBLIC HEARING</u> | | |
| 479 | Chair Kruse | Opens public hearing on HB 2888 and closes public hearing on HB 2888. |
| <u>HB 3286 – PUBLIC HEARING</u> | | |
| 481 | Chair Kruse | Opens public hearing on HB 3286 and closes public hearing on HB 3286. |
| <u>HB 3570 – PUBLIC HEARING</u> | | |
| 483 | Chair Kruse | Opens public hearing on HB 3570 and closes public hearing on HB 3570. |
| <u>HB 3411 – PUBLIC HEARING</u> | | |
| 485 | Chair Kruse | Opens public hearing on HB 3411 and closes public hearing on HB 3411. |
| 487 | Chair Kruse | Adjourns meeting at 11:26 A.M. |

EXHIBIT SUMMARY

- A – HB 2631, -2 amendments, dated 4/8/03, staff, 1 p.**
- B – HB 2631, -3 amendments, dated 4/10/03, hand engrossed amendments, staff, 2 pp.**
- C – HB 2963, written testimony, Jean Lasater, 6 pp.**
- D – HB 2963, written testimony, Galen Phipps, 3 pp.**
- E – HB 2963, written testimony, Donna Middleton, 1 p.**
- F – HB 3394, written testimony, Rep. Alan Bates, 2 pp.**
- G – HB 3394, written testimony, William Long, 6 pp.**
- H – HB 3394, written testimony, Mary Ann Wish, 6 pp.**
- I – HB 3394, written testimony, Shawn Baird, 1 p.**
- J – HB 3394, written testimony, Sandy Giffen 9 pp.**
- K – HB 3394, written testimony, Gail Shibley, 5 pp.**
- L – HB 3394, written testimony, Bill Olson, 9 pp.**
- M – HB 3394, written testimony, Bruce Bishop, 2 pp.**
- N – HB 3394, written testimony, Jim Anderson, 2 pp.**
- O – HB 3394, written testimony, Brant Wolf, 2 pp.**
- P – HB 3394, written testimony, David Paulson, 1 p.**
- Q – HB 3394, written testimony, Kristina Wilde, 1 p.**
- R – HB 3378, written testimony, Michael Bond, 8 pp.**