

HOUSE COMMITTEE ON RULES AND PUBLIC AFFAIRS

February 18, 2003 Hearing Room E
1:00 PM Tapes 10 - 12

MEMBERS PRESENT: Rep. Dan Doyle, Chair
 Rep. Linda Flores, Vice-Chair
 Rep. Laurie Monnes Anderson, Vice Chair
 Rep. Vic Backlund
 Rep. Phil Barnhart
 Rep. Betsy L. Close
 Rep. Joanne Verger

STAFF PRESENT: Cara Filsinger, Administrator
 Annetta Mullins, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2547 – 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.

TAPE/#	Speaker	Comments
Tape 10, A		
004	Chair Doyle	Calls meeting to order at 1:01 p.m. and announces the format for testimony by scheduled witnesses.
023	Chair Doyle	Opens a public hearing on HB 2547.
<u>HB 2547 – PUBLIC HEARING</u>		
025	Rep. Betsy Close	District 15. Testifies in support of HB 2547 (EXHIBIT A).
079	Lisa Heacock	Testifies in support of HB 2547 (EXHIBIT B).
141	Lori Eckstine	Testifies in support of HB 2547 (EXHIBIT C).
256	Esther Ripplinger	Testifies in support of HB 2547 (EXHIBIT D).
331	DebraLee Wyant	Testifies in support of HB 2547 (EXHIBIT E).
020	Wyant	Continues presentation of statement (EXHIBIT E).
TAPE 11, A		
020	Wyant	Continues presentation of statement (EXHIBIT E).
046	Gayle Atterbery	Oregon Right to Life. Testifies in support of HB 2547 (EXHIBIT F).
098	Atterbery	Comments on other states adopting a law such as HB 2547.
123	Atterbery	Comments on chart in testimony (EXHIBIT F, page 3).
132	Chair Doyle	Passes gavel to Rep. Monnes Anderson and asks that she preside during the testimony in opposition to HB 2547.
136	Linda Bryant	Planned Parenthood of Columbia Willamette. Testifies in opposition to HB 2547 (EXHIBIT G).
193	Rep. Close	Asks why a health care provider would provide biased counseling.
	Bryant	Responds that she thinks the language in the bill is inaccurate.
	Vice-Chair Monnes Anderson	Asks that the witnesses provide a copy of the Planned Parenthood Federation of America's Manual of Medical Standards and Guidelines.
	Witnesses	Responds that they will provide the manual.
	Vice-Chair Monnes Anderson	Asks if there have been lawsuits because patients have not been given informed consent.

211	Bryant Julie Powers	Responds that it has not happened with their agency. Planned Parenthood of Columbia Willamette. Testifies in opposition to HB 2547 (EXHIBIT H).
285	Rep. Close	Gives scenario of a person about to have an appendectomy and asks if it would be asking the doctor to violate his code of ethics if the doctor were asked what side effects there might be, or if there is an alternative.
300	Powers Ellen Lowe	Responds there would not be a violation as far as she can see. Legislative Advocate, Oregon Law Center. Testifies in opposition to HB 2547 (EXHIBIT I).
381	Dr. Richard Allen	President, Oregon Medical Association. Testifies in opposition to HB 2547 (EXHIBIT J).
TAPE 10, B		
010	Rep. Close Allen	Asks if Dr. Allen disagrees with the current statute. States that he highly supports the physician having an informed consent with the patient.
	Rep. Close	Asks if Dr. Allen agrees that women have not had this for this procedure.
	Allen	Responds that women are informed and there is no need for the bill.
023	Vice-Chair Monnes Anderson Dr. Allen	Asks if lawsuits occur because informed consent was not given. Responds that suits occur all the time. It then behooves the physician to document in their records that they did have conference with the patient.
034	Rep. Doyle	Comments that Dr. Allen has said this proposal that this proposal requires physicians to provide “inaccurate medical information.” Asks where the language is in the bill.
	Allen	Responds he understands there are some points in this bill that are inaccurate; believes someone from Planned parenthood Department of Human Services, Health Services. Testifies in opposition to HB 2547 (EXHIBIT K).
036	Dr. Grant Higginson	Asks if Dr. Higginson was aware of a similar bill last session. Responds affirmatively and states that they also opposed that bill.
103	Rep. Close Higginson	States there were several women who said they did not have informed consent and ask if the Department of Human Services investigated the allegations.
	Higginson	Explains that the investigations should be done by the Board of Medical Examiners. Asks if those cases were reported to the Board of Medical Examiners.
124	Rep. Close.	Comments that she would expect the agency to take action on these cases.
	Rep. Close	States she would assume the delay with the informed consent law would apply to any surgery. Asks if no surgery patient should be given informed consent because it would delay the surgery.
	Higginson	States that no other informed consent that he knows of, with the exception of death with dignity, has a delay from the time of informed consent and the procedure.
147	Rep. Barnhart Higginson	Ask if Higginson can provide a copy of the Kaiser study. Responds affirmatively.
152	Scott Gallant	Oregon Medical Association (OMA). Testifies in opposition to HB 2547.

225	Gallant	Continues testimony in opposition to HB 2547.
241	Rep. Close	Asks if it would be difficult for a person 14-18 years of age to take responsibility for their own care.
	Gallant	Responds that OMA's policy position about the provision is that health care is a decision between the physician and patient. Adds that the state has made a policy decision about where that line is drawn between an adult and a minor and he has never heard from their members that the statute should be changed.
	Rep. Close	Repeats her question.
	Gallant	Gives examples of decisions that must be made by patients.
281	Rep. Close	Comments that she hopes that the Oregon Medical Association sees their responsibility to protect minor women.
	Gallant	Comments on informed consent required in statute.
	Kappy Eaton	League of Women Voters. Testifies in opposition to HB 2547 (EXHIBIT L) .
	Maura Roche	ProChoice Coalition of Oregon. Submits statement and packet of information including a statement for Rep. Alan Bates, and testifies in opposition to HB 2547 (EXHIBIT M) .
TAPE 11, B		
020	Roche	Continues presentation.
040	Roche	Notes the Legislative Fiscal Statement on the bill in the previous session (EXHIBIT M, page 37) and comments on potential legal costs.
053	Marcia Kelley	American Association of University Women-Oregon. Testifies in opposition to HB 2547 (EXHIBIT N) .
	Rep. Mary Nolan	Testifies in opposition to HB 2547 (EXHIBIT O) .
137	Rep. Carolyn Tomei	District 41. Testifies in opposition to HB 2547.
164	Vice-Chair Monnes Anderson	Returns gavel to Chair Doyle.
170	Michael Howden	Stronger Families for Oregon. Testifies in support of HB 2547 (EXHIBIT P) .
230	Howden	Continues presentation.
312	Dr. Ken Wilson	Practicing Surgeon. Testifies in support of HB 2547.
432	Wilson	Continues testimony in support of HB 2547.
TAPE 12, A		
018	Wilson	Provides five reasons for supporting HB 2547.
025	Rep. Barnhart	Asks what Howden's and Dr. Wilson's medical training is.
	Howden	Responds that he has no medical training
	Wilson	States his credentials.
045	Rep. Verger	Asks if the packet is from their research group (EXHIBIT P) .
	Howden	Explains contents of packet (EXHIBIT P) .
	Rep. Verger	Asks if the witnesses agree that most women who get abortions are between the ages of 18 and 24.
	Howden.	Responds it is correct nationally, in terms of trends.
062	Chair Doyle	Adjourns meeting at 2:59 p.m.

EXHIBIT SUMMARY

A – HB 2547, prepared statement, Rep. Close, 3 pp

B – HB 2547, prepared statement, Lisa Heacock, 2 pp

C – HB 2547, prepared statement, Lori Eckstine, 3 pp

D – HB 2547, prepared statement, Esther Ripplinger, 1 p
E – HB 2547, prepared statement, DebraLee Wyant, 4 pp
F – HB 2547, prepared statement, Gayle Atterbery, 4 pp
G – HB 2547, prepared statement, Linda Bryant, 2 pp
H – HB 2547, prepared statement, Julie Powers, 2 pp
I – HB 2547, prepared statement, Ellen Lowe, 2 pp
J – HB 2547, prepared statement, Dr. Richard Allen, 1 p
K – HB 2547, prepared statement, Dr. Grant Higginson, 3 pp
L – HB 2547, prepared statement, Kappy Eaton, 1 p
M – HB 2547, prepared statement, Maura Roche, 37 pp
N – HB 2547, prepared statement, Marcia Kelley, 1 p
O – HB 2547, prepared statement, Rep. Nolan, 1 p
P – HB 2547, prepared statement, Michael Howden, 36 pp