

HOUSE COMMITTEE ON RULES AND PUBLIC AFFAIRS

March 18, 2003 Hearing Room E
1:00 PM Tapes 25 - 26

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

MEMBER EXCUSED: **Rep. Laurie Monnes Anderson, Vice Chair**

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

MEASURE/ISSUES HEARD: HB 2547 – Work Session
 HR 2 – Public Hearing and Work Session

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 25, A		
004	Chair Doyle	Calls meeting to order at 1:09 p.m. and opens a work session on HB 2547.
<u>HB 2547 – WORK SESSION</u>		
004	Chair Doyle	Notes the committee has the HB 2547-7 amendments (EXHIBIT A) for consideration and advises members they may ask questions of the proponents and opponents of the bill.
	Gayle Attebery	Oregon Right to Life. Explains HB 2547-4 (EXHIBIT B) and the HB 2547-7 amendments (EXHIBIT A).
	Chair Doyle	Advises members they have a hand-engrossed copy of the bill that includes the HB 2547-4 amendments.
041	Rep. Barnhart	Asks if the two amendments would be combined.
	Chair Doyle	Explains that the HB 2547 -7 amendments contain the HB 2547-4 amendments, deletes Section 8 of the bill, and possibly some minor changes.
	Attebery	Continues explaining the HB 2547-4 (EXHIBIT B) and HB 2547-7 amendments (EXHIBIT A).
060	Chair Doyle	Asks if the HB 2547-7 amendments were intended to eliminate Section 8 of the bill.
	Attebery	Responds affirmatively and continues to explain amendments.
	Chair Doyle	Asks if the two main items that were deleted related to potential medical risks.
090	Attebery	States yes, because it was in some ways redundant to enumerate them.
	Chair Doyle	Asks if the removal of the ability to recover damages for professional negligence gives this bill any teeth.
	Attebery	Responds that they understand from legal counsel that anytime the law is broken there is recourse to the person who has been harmed. That would be the woman who was not given the

proper informed consent. Adds that many parts of Section 8 were redundant because the woman already has the ability to sue a doctor who does not abide by existing law, and the Board of Medical Examiners has the ability to reprimand a physician. Advises members that Legislative Fiscal staff is expected to appear to explain the Legislative Fiscal Statement (**EXHIBIT C**).

112 Chair Doyle

130 Chair Doyle

Recesses the work session on HB 2547 and opens a public hearing on HR 2.

HR 2 – PUBLIC HEARING

147 Jeni Huntington House Majority Office. Reads prepared statement for Rep. Knopp in support of HR 2 (**EXHIBIT D**).

Chair Doyle Notes the committee has the HR 2-2 amendments (**EXHIBIT E**).

186 Rep. Jeff Kropf District 17. Testifies in support of HR 2. Comments on history of Iraq actions and the importance of supporting the U. S. leadership and our troops and their families in defense of freedom. Explains the HR 2-2 amendments (**EXHIBIT E**). Thanks Rep. Barnhart for his suggestion for the amendment.

295 Rep. Verger Comments that she wants to support the resolution and thanks Rep. Barnhart for his thoughtful suggestion for amendments.

Rep. Barnhart Comments on his desire to get as much support for the armed forces as possible in the House. Comments that his concerns have been ameliorated by the amendments. Clarifies his position on HR 2.

385 Rep. Kropf Thanks the committee for considering HR 2 with the amendments.

Chair Doyle Closes the public hearing and opens a work session on HR 2.

426 Rep. Close **MOTION: Moves to ADOPT HR 2-2 amendments dated 3/18/03.**

426 **VOTE: 6-0-1**

Chair Doyle **EXCUSED: 1 - Rep. Monnes Anderson**
Hearing no objection, declares the motion CARRIED.

433 Rep. Close **MOTION: Moves HR 2 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.**

436 **VOTE: 6-0-1**

Chair Doyle **AYE: In a roll call vote, all members present vote Aye.**
EXCUSED: 1 - Rep. Monnes Anderson
The motion CARRIES.
REP. KROPF will lead discussion on the floor.

450 Chair Doyle Closes the work session on HR 2.

TAPE 26, A

007 Chair Doyle Reopens the work session on HB 2547.

HB 2547 – WORK SESSION

013 John Britton Explains the Legislative Fiscal Statement on HB 2547 (**EXHIBIT C**).

063 Rep. Close Asks for names of Department of Human Services (DHS) staff that provided the information so that she can discuss the estimates with them.

Britton Advises that they will get the names of the staff.

075	Britton	Continues explaining the Legislative Fiscal Statement (EXHIBIT C) .
089	Rep. Close Britton Rep. Barnhart Britton Rep. Barnhart Britton	Asks which computer language in DHS is antiquated. Responds he does not know. Asks what the website in the fourth paragraph on page 2 is for. Responds that he interprets the language differently than DHS staff. States that his reading was that information that is required in the bill would be posted on the website. Asks if it is just information that will be posted, with no communication back and forth. Responds it is unclear. States he understands the \$169,000 system would be web based; information could be provided electronically by the provider into the data base though some web based portal. Believes the other web site is a read only, for informational purposes, and would be minimal costs.
106	Rep. Barnhart Britton Rep. Barnhart Britton	Asks if the \$169,500 is also for the communication system that would allow the data base to be used. Responds he does not know and will inquire further. Comments that if the two paragraphs hook together, then a secure web site is necessary in order to transmit data securely for reporting purposes. Responds that he has the same question--does the \$169,000 encompass the \$76,000.
122	Rep. Close Rep. Verger Chair Doyle	Suggests we need to see if there are secure websites at DHS. Asks if the committee knows where the Governor's office stands on this bill. Responds affirmatively. Adds that Rep. Close would like to explore the fiscal issues before acting on the bill.
137	Rep. Barnhart Britton Rep. Flores Britton	Comments this is for costs on government, not the increased cost by the providers. Asks if there is an estimate of cost on providers or individuals seeking services. Responds he does not know what the costs are to the providers and those seeking services. Asks if there are any current reporting requirements from physicians to DHS on services provided. Responds that the current collection is paper and the information is sent into DHS, and it is keyed into the antiquated data base.
160	Chair Doyle Britton Chair Doyle Britton	Asks if there is a cost to translate this into English. Responds he thinks the cost would be to develop the text. Comments that the \$20,000 for translation seems excessive. Responds that the original information provided was for translation into nine languages at a cost of more than \$90,000.
183	Chair Doyle Britton Chair Doyle Britton	Comments on information provided by DHS. Responds he does not think DHS has plans to modify the system. States that DHS has a number of programs that are very antiquated. Comments there is a form the physicians have to fill out when there is an abortion; this is asking that five more boxes be checked off. Asks if DHS has indicated there are other alternatives to get the five questions answered and reported. Responds that he does not know the answer. Suggest that staff and the committee can talk to DHS about the costs and

		alternative technical solutions.
228	Chair Doyle	Notes the estimated cost for a temporary research analyst.
	Britton	Responds that the cost indicted is for 18 months.
	Chair Doyle	Questions how one FTE could spend full time for 18 months on this work of tracking the extra five questions.
	Britton	Comments he believes it takes perhaps three to six months to make sure the system is operating properly and the data received is correct and accurate.
	Chair Doyle	Comments that the HB 2547 amendments (EXHIBIT A) eliminate the additional negligence claims that could be made against physicians and nurses. Asks if that would eliminate the estimate on the Board of Nursing issue and on the Judicial Department.
	Britton	Comments that \$1,000 is related to the Board of Nursing that would otherwise be covered through their fee revenues, and the Oregon Judicial Department believes the fiscal impact on the courts is indeterminant. Notes there are no dollars in the fiscal impact for the Judicial Department
277	Chair Doyle	Asks which division of DHS would administer this bill.
	Britton	Responds this is a public health program in the Health Services cluster. Comments on reorganization of DHS.
291	Rep. Close	Comments that she believes in Section 6 of the bill, the use of the internet is for making the information available, and does not believe two-way communication is a requirement in the bill. Asks if OHSU uses an electronic system or a paper system.
	Britton	Responds he does not know.
308	Rep. Backlund	Comments on previous report on upgrading of DHS computer system, and this fiscal impact of \$169,000 for upgrading the system.
	Rep. Barnhart	Comments on various computer systems within DHS. States this could be a proprietary system which is obsolete and nobody knows how to fix it. That is true in other parts of DHS.
351	Gayle Attebery	Oregon Right to Life. Comments that the intent of the bill is that this be a web site that can be viewed only. States that if part of the fiscal impact includes costs that would allow the person to respond, it is unnecessary.
414	Rep. Close	MOTION: Moves to ADOPT HB 2547-7 amendments dated 03/18/03.
422	Rep. Close	Comments that eliminating Section 8 throws the total responsibility onto the woman. Believes it makes it more difficult for women who may not have had the informed consent they needed.
		VOTE: 6-0-1
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Rep. Monnes Anderson
	Chair Doyle	The motion CARRIES.
430	Chair Doyle	Advises that questions on the fiscal statement need to be answered, and the committee will consider the bill on Thursday.
462	Chair Doyle	Closes the work session on HB 2547 and adjourns meeting at 2:05 p.m.

EXHIBIT SUMMARY

A – HB 2547, HB 2547-7 amendments, Gayle Attebery, 2 pp

B - HB 2547, HB 2547-4 amendments, Gayle Attebery, 2 pp

C – HB 2547, Legislative Fiscal Statement, staff, 2 pp

D – HR 2, prepared statement, Jeni Huntington, 1 p

E – HR 2, HR 2-2 amendments, Rep. Kropf, 1 p