

# SENATE COMMITTEE ON HEALTH POLICY

March 27, 2003  
1:00 pm

Hearing Room B  
Tapes 43 - 44 - 45

**MEMBERS PRESENT:** Sen. Bill Morrisette, Chair  
Sen. Bill Fisher, Vice-Chair  
Sen. John Minnis  
Sen. Frank Shields  
Sen. Charles Starr  
Sen. Vicki Walker

**STAFF PRESENT:** Marjorie Taylor, Administrator  
Saranelle Allen, Committee Assistant

**MEASURE/ISSUES HEARD:** SB 630 – Public Hearing  
SB 435 – Work Session  
SB 723 – Public Hearing  
SB 708 - Public Hearing and Work Session  
SB 709 – 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 43 A</b>		
008	Chair Morrisette	Convenes meeting at 1:12 p.m. and opens a public hearing on SB 630.
<b><u>SB 630 – PUBLIC HEARING</u></b>		
020	Marjorie Taylor	Explains bill. Advises attachments on SB 630-1 amendment from Tom Holt and letters submitted from Cindy Laubacher, Medco Health, and Anne Walsh, Naturopathic Examiners Board are included in the packets <b>(EXHIBIT A)</b> .
	Gary Schnabel	Executive Director. Oregon Board of Pharmacy. Submits written testimony in favor of SB 630 <b>(EXHIBIT B)</b> .
189	Tom Holt	Executive Director of Oregon State Pharmacists Assoc. Testifies in support of SB 630 and reviews the SB 630-1 proposed amendment <b>(EXHIBIT A)</b> .
322	Sen. Minnis	Asks several questions on any penalties for abuse and language on guardianship.
	Schnabel	Advises it would be up to the board authority.
450	Scott Gallant	Oregon Medical Association. Testifies with concerns on the content of the bill, and explains there are requirements for the physicians to keep records and that this information is shared with the DEA. States the committee needs to review the points of the bill and check into the ORS.
<b>Tape 44, A</b>		
030	Chair Morrisette	Asks if a direction on releasing information would solve the concern.
	Gallant	Raises several issues about investigating physicians.
141	Gallant	Explains that there would most likely be a fiscal impact in the

		process of getting the program. States more work would be required.
	Barney Speight	Kaiser Permanente. Expresses two issues on general policy, one on Oregon law conforming to the Federal HIPA law, which goes into effect the middle of next month, and second, is the statute that governs pain management. Thinks it would be good to look into whether the policy direction is in balance.
210	Sen. Fisher Kathy Hann	Asks if HIPA would be requiring this anyway. Dr of Pharmacy, Chair of Pain Commission. States the Pain Commission has unanimously approved this bill.
	Chair Morrisette	States concern on confidentiality issues.
366	Sen. Minnis Chair Morrisette	States that the bill is in need of additional work. Closes public hearing on SB 630 and opens a work session on SB 435.
<b><u>SB 435 – WORK SESSION</u></b>		
410	Sen. Joan Dukes	District 1. Testifies in support of SB 435-2 amendment, and advises there is a -1 in the packet, but is here to testify on the intent of the -2 amendment. Explains the change in the language <b>(EXHIBIT C)</b> .
455	Sen. Minnis	Asks question on the -2 amendment allowing prescription dispensing by psychologists.
<b>Tape 43, B 030</b>	<b>Sen. Minnis</b>	<b>MOTION: Moves to ADOPT SB 435-2 amendment dated 03/21/03.</b>
	Sen. Fisher	Asks question on whether there is any additional testimony.
038	Chair Morrisette	Advises this was only a work session and not for further testimony.
	Sen. Fisher	States he understood there were additional questions being raised, and maybe further testimony might be appropriate.
060	Sen. Dukes	Explains that the psychologist is not licensed to do anything over their scope of training.
	Chair Morrisette	Asks Sen. Fisher if there was anyone in the room he wished to have testify.
	Sen. Shields	States he feels the amendment is clear.
081	Sen. Minnis	Asks a procedural question as to whether or not Chair had placed his motion or not to adopt the -2 amendment. Thought he had, but wasn't sure.
	Chair Morrisette	Advises we hadn't acted on the motion for the -2 amendments.
	Sen. Minnis	States he knew it wasn't acted on it, but did he place it, because if it was placed procedurally then the discussion being held is irrelevant to the motion, or the adoption of the motion.
102	Chair Morrisette	States the discussion is relevant to the adoption of the motion.
	Sen. Minnis	So you did place the motion?
	Chair Morrisette	States he did place the motion.
125	Sen. Minnis	So the motion is before the committee.
	Sen. Minnis	<b>Move we call the Question (Adoption of -2 Amendments)</b>
<b>128</b>		<b>VOTE: 5-1</b> <b>AYE: 5 - Minnis, Shields, Starr C., Walker, Morrisette</b> <b>NAY: 1 - Fisher</b>
144	Sen. Fisher	States he will vote no, because there is the potential that the 'scope of training' does not refer to the 'assess and treat' portion of the amendment, and feels that is where there's a problem.
	Sen. Minnis	States that now the motion is adopted we could take a further



	Tracy Klein	RN. Submits written testimony to support SB 708 and does not testify ( <b>EXHIBIT J</b> ).
	Tom Holt	Reviews the chart on prescription dispensing ( <b>EXHIBIT K</b> ).
355	Sen. Minnis	Raises several questions.
431	Chair Morrisette	Asks about resolving some of the concerns with the Nurses Board.
	Holt	Reviews issue of inability to try and work out any differences.
<b>Tape 45, A</b>		
008	Sen. Minnis	States if there is no ability to work on a compromise, he would prefer the bill be passed out.
	Chair Morrisette	Concurs. Opens a work session on SB 708.
<b><u>SB 708 – WORK SESSION</u></b>		
<b>040</b>	<b>Sen. Minnis</b>	<b>MOTION: Moves SB 708 to the floor with a DO PASS recommendation.</b>
	Sen. Walker	Advises she is a co-sponsor of the bill.
<b>052</b>		<b>VOTE: 4-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 2 - C. Starr, Fisher</b>
	<b>Chair Morrisette</b>	<b>The motion CARRIES.</b>
		<b>SEN. WALKER will lead discussion on the floor.</b>
<b><u>SB 709 – PUBLIC HEARING</u></b>		
081	Chair Morrisette	Opens and closes a public hearing on SB 709.
	Chair Morrisette	Adjourns meeting at 3:06 p.m.

## **EXHIBIT SUMMARY**

- A – SB 630, proposed SB 630-1 amendment from Tom Holt, and written testimony, Cindy Laubacher and Anne Walsh, 3 pp.**
- B – SB 630, written testimony, Gary Schnabel, 3 pp.**
- C – SB 435, proposed amendments, -1, -2, Sen. Joan Dukes, 2 pp.**
- D – SB 723, written testimony, Tom Holt, 3 pp.**
- E – SB 723, written testimony, Jim Edge, 2 pp.**
- F – SB 723, written testimony, Leonard Hagen, 2 pp.**
- G – SB 723, written testimony, Barney Speight, 4 pp.**
- H – SB 708, written testimony submitted by Sen. Fisher for Blake Rice and Michael Hooper, 2 pp.**
- I – SB 708, written testimony, Susan King, 3 pp.**
- J – SB 708, written testimony, Tracy Klein, 2 pp.**
- K – SB 708, written testimony, Tom Holt, 1 p.**