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
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SB 435 – Work Session SB 723 – Public Hearing SB 708 - Public Hearing and Work Session
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SB 708 - Public Hearing and Work Session
SB 709 – 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 43 A		
008	Chair Morrisette	Convenes meeting at 1:12 p.m. and opens a public hearing on SB 630.
SB 630 - PU	BLIC HEARING	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 (EXHIBIT A).
	Gary Schnabel	Executive Director. Oregon Board of Pharmacy. Submits written testimony in favor of SB 630 (EXHIBIT 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 (EXHIBIT A).
322	Sen. Minnis	Asks several questions on any penalties for abuse and language on guardianship.
Schnabel	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.
Tape 44, A		
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	Asks if HIPA would be requiring this anyway.
210	Kathy Hann	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	States that the bill is in need of additional work.
	Chair Morrisette	Closes public hearing on SB 630 and opens a work session on SB
		435.
<u>SB 435 – WOF</u>	RK SESSION	
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
455		(EXHIBIT C).
455	Sen. Minnis	Asks question on the -2 amendment allowing prescription
Tape 43, B		dispensing by psychologists.
030	Sen. Minnis	MOTION: Moves to ADOPT SB 435-2 amendment dated
	Sen. Winning	03/21/03.
	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
0.00		raised, and maybe further testimony might be appropriate.
060	Sen. Dukes	Explains that the psychologist is not licensed to do anything over
	Chair Morrisette	their scope of training.
	Chair Wiorrisette	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
001	Sen. Winnis	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	Move we call the Question (Adoption of -2 Amendments)
128		VOTE: 5-1
		AYE: 5 - Minnis, Shields, Starr C., Walker, Morrisette
144		NAY: 1 - Fisher
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	of the amendment, and feels that is where there's a problem. States that now the motion is adopted we could take a further
		States that now the motion is adopted we could take a fulfiller

156	Sen. Minnis	look at those words. However, feels the paragraph is all connected together. MOTION: Moves SB 435 to the floor with a DO PASS recommendation AS AMENDED
188	Chair Morrisette	VOTE: 5-1 AYE: 5 - Minnis, Shields, Starr C., Walker, Morrisette NAY: 1 - Fisher The motion CARRIES.
	Sen. Fisher	SEN. DUKES will lead discussion on the floor. States he had some points brought to his attention early this morning and had no time to check into it. Might consider a yes vote later.
190	Chair Morrisette	Closes work session on SB 435 and opens a public hearing on SB 723.
SB 723 – PUBL	IC HEARING	
210	Tom Holt	Oregon State Pharmacists Association. Submits written testimony in opposition to SB 723, concerning the practice of pill splitting as written and recommends an amendment (in process) that allows the final decision be made by the practitioners.
325	Jim Edge	(EXHIBIT D). Office of Medical Assistance Programs. Submits written testimony in opposition to SB 723 (EXHIBIT E). States pill splitting could offer some cost savings.
	Chair Morrisette	Asks question on why we have pill splitting.
360	Edge	Gives several comments on the original intent of pill splitting.
450	Leonard Hagen	Regence Blue Cross. Testifies in opposition to the bill on pill splitting. (EXHIBIT F). States that adding amendments to the bill would allow a cost saving and Blue Cross would then be in agreement with the bill.
461	Patty Church	Regence Blue Cross. Gives a statement on the benefit of splitting tablets, for a physician who is then able to strengthen or decrease tablet dosage to fit a patients' needs.
Tape 44 B		
012	Barney Speight	Kaiser Permanente. Submits written testimony in support of SB 723, and advises the upcoming -1 amendment (EXHIBIT G).
	Chair Morrisette	Closes public hearing on SB 723 and opens a public hearing on SB 708.
SB 708 – PUBL		
088	Marjorie Taylor	Administrator. Submits opposition letters received from Blake Rice, Riddle Pharmacy and Michael Hooper, Phoenix Pharmacy, submitted by Sen. Fisher (EXHIBIT H).
135	Rep. Laurie Monnes Anderson	District 50. Testifies in support of SB 708 regarding nurse practitioners being allowed to dispense prescriptions.
167	Susan King	Oregon Nurses Association and Nurse Practitioners of Oregon. Submits written testimony in support of SB 708 (EXHIBIT I).
188	Carol John Liz LaDu	Nurse Practitioner. Gives testimony in support of SB 708 (EXHIBIT I). Women's Health Nurse Practitioner. Gives testimony in support of dispensing prescription drugs to indigent patients.
	Aaron Evers	Family Nurse Practitioner, Portland. Testifies in favor of SB 708, and explains problems that incur in small clinics with no doctors on staff.

	Tracy Klein	RN. Submits written testimony to support SB 708 and does not testify (EXHIBIT J).
	Tom Holt	Reviews the chart on prescription dispensing (EXHIBIT K).
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.
Tape 45, A		
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.
<u>SB 708 – WOI</u>	<u>RK SESSION</u>	
040	Sen. Minnis	MOTION: Moves SB 708 to the floor with a DO PASS recommendation.
	Sen. Walker	Advises she is a co-sponsor of the bill.
052		VOTE: 4-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 2 - C. Starr, Fisher
	Chair Morrisette	The motion CARRIES.
		SEN. WALKER will lead discussion on the floor.
SB 709 – PUB	LIC HEARING	
081	Chair Morrisette Chair Morrisette	Opens and closes a public hearing on SB 709. 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.