

HOUSE COMMITTEE ON HEALTH AND PUBLIC ADVOCACY

February 06, 2001
1:30 pm

Hearing Room D
Tapes 15 - ??

MEMBERS PRESENT: **Rep. Jeff Kruse, Chair**
 Rep. Bill Morrisette, Vice-Chair
 Rep. Bill Garrard, Vice-Chair
 Rep. Phil Barnhart
Rep. Jerry Krummel
 Rep. Jan Lee
 Rep. Laurie Monnes-Anderson
Rep. Carolyn Tomei
 Rep. Cheryl Walker

MEMBER EXCUSED:

STAFF PRESENT: **Diane Lewis, Committee Administrator**
 Rachel Brown, Committee Assistant

MEASURE/ISSUES HEARD: **?Issues**

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 15, A		
005	Chair Kruse	Opens the meeting at 1:35 PM. Opens a work session on HB 2397.
HB 2397, 2398, 2400, 2405 WORK SESSION		
OPENS PUB HB 2251		
060	A woman?	From Board of Nursing. (Exhibit A) Refers directly to this handout. For HB 2251
096	Rep. Barnhart	How is board of nursing financed?
100	Barnhart	Followup question
106		
113	Rep. Krummel	Refers to HB 2251 directly.
120	Walker	
122		Compensation
124	Walker	Not reimbursement?
127		Yes.
130	Brian Delishment	
135	Chair Kruse	Opens work session
146	Krummel	Concerned w/ dollars- upping the fee. Not opposed, but wishes to point out that \$150/day is high.
161	Monnes-Anderson	Explains.
181		HB 2251

	Chair Kruse	
267	Richard McCarthy	
288	Rep. Lee	Have you instituted training boundaries. Public record of alleged perpetrators.
299	McCarthy	The board requires attendance of classes.
312	Dave McTeague	
322	Rep. Garrard	Asks how efficient the board is and if they deserve the asked for extra monies.
332	McCarthy	
362	Garrard	How many investigations
372	Dave McTeague	7 revocations and surrender of license in the last 10 years.
387	Morrisette	What is size of board?
TAPE 16, A		
002	McTeague	All have to have licenses,
012	Morrisette	Penalty for practicing w/o license
016	McTeague	
021	Rep. Walker	Refers to letter (Exhibit D)
024	McCarthy	
038	McTeague	
464	Rep. Walker	
042	Rep. Krummel	Limmted license
047	McTeague	
049	Rep. Krummel	
050		
052	Krummel	Refers to handout, exhibit
060	McTeague	Refers to handout
077	Krummel	Asks
079	McTeague	
082	Rep. Barnhart	Age of these complaints and description of complaints involving excess service issues.
092	McTeague	21 complaints involving 16 doctors. Moving forward on one major case. Consuming process. 25,000 for one case. Major backlog.
117	Barnhart	Fee increase will shorten backlog?
120	McTeague	Trying for forward movement, more money would help.
150	Morrisette	When will you ask for increase and when will you need to come back.
155	McTeague	Last time was in '91.
182	Rep. Lee	
189	McCarthy	Is a consideration.
195	Rep. Lee	What recovery
199	McTeague	Hit and miss.
211	John Cafforty,	All against HB 2168.
	Roger Setera,	
	George Siegfried	
230	George Siegfried	Chiropractor from McMinnville. Practicing in McMinn. Since. Testifies against HB 2168. Discusses buerocracy and that the board is becoming fiscally irresponsible.
291	Siegfried	This law is not fair- the board will not use money wisely. Could create significant legal repercussions. Already guidelines in place. Board does serve the interest of citizens and public and clients.

	Siegfried	Wishes of the board:
		<ul style="list-style-type: none"> ▪ More fiscal responsibility ▪ Appropriate independent council investigation
352	Chair Kruse	How many members.
360	Siegfried	Over 100 doctors.
364	Rep. Barnhart	Are you in contact with
378	Siegfried	Feels stifled when tried to speak to committees of opposition.
392	Rep. Barnhart	Reiterates question about opposition contacting them.
TAPE 15, B		
003	Morrisette	
086	Dr. Roger Setera	
097	John Cafferty	
160	Cafferty	Talks of guidelines of different organizations.
200	Cafferty	-National guidelines available now- no need for more guidelines
		-Science in the guidelines, refers to page 2 of article, exhibit I
249	Cafferty	Discusses guidelines in reference to sexual predators.
275	Cafferty	Wraps up testimony by stating that
296	Rep. Lee	
300	Cafferty	
309	Rep. Tomei	How should funds be raised to attend to 20 cases of complaints
320	Setera	Responds that better time management would be helpful.
363	Meridel I. Gatterman	Testifies in support of HB 2168
TAPE 16, B		
004	Gatterman	
029	David Saboe	Chiropractic doctor from Eugene. No political affiliation. Sees both sides of issue- need to come to consensus- evidence-based.
05	Morrisette	Do you support HB 2168
	Saboe	Yes.
059	Barnhart	Refers to article from journal, exhibit J.
070	Gatterman	One step beyond guidelines.
093	Barnhart	After guidelines adopted, standards in demand
101	Gatterman	Some standards that are expected to abide by.
108	Rep. Krummel	OR guildlines vs. national testing standards.
114	Gatterman	Guidelines more specific.
121	Krummel	Mentions outcome-based standards, how OR guidelines get to this point.?
128	Gatterman	
143	Tomei	
145	Gatterman	
150	Tomei	Paid pos. over?
	Gatterman	Yes.
157	William Dallas	President Western States Chiropractic College. Testifies in support of HB 2168. Discusses practice guidelines. 2 agencies that control quality and scope of practice:
197	Dallas	Publicity of sexual misconduct. Among younger practitioners there is failure to recognize the appropriateness of how to conduct oneself when with patients.
222	Jan Nelson	Public member of board of examiners. Testifies in favor of HB 2168. Mentions a fee. \$250 per year to protect the public and maintain standards.
254	Nelson	Political of project to write new practice guidelines. She felt

292 Nelson strange at first but changed her mind when these practitioners showed her that guidelines, not rules, be reworked. Believes stronger sanctions have been improved to deal with sexual misconduct.

304 Rep. Lee Asks

313 Nelson Responds that the she has no answer.

324 Chair Kruse

333 Larry Harvey Chiropratic Assoc. of Oregon. Represents clients. No evidence that CAO is inefficient, etc. Says that consumers have a right to be protected.

TAPE 17, A

001 Harvey Wants board to have authority to raise fees.

016 Dr. Brian Miller President of CAO. Wishes to support the board in... Sensitive to membership and doctors. Supports practice guidelines.

036 Dr. Lavern Saboe, Jr. Testifies in support of HB 2168. Talks of education of chiropractors. Mentions OBCE. Believes that OBCE guidelines will be the example of the nation.

099 John Lawton Past president of _____. Testifies against HB 2168. Left panel b/c faced w/ ethical question. Oregon doctors of chiropractic had a problem when a board member was acting innapropriatly.

148 Lawton Speaks of past actions of panel of people, nominal panels, etc. Does not want ODOC to lose stature of their agency. Believes there's a way of intimidation of doctors. Profession being degraded.

220 Lawton Chiro. May be standardized to a lower practice of chiropractic. What's gonna' happen w/ so much money.

235 Rep. Barnhart

Yes

Krummel Moves to send HB 2168 to Ways and Means.

Garrard

Kruse

Tomei

Krummel

Walker If not now, when?

Morrisette This is substantive committee.

Lee Can't vote yes b/c of all issues surrounding.

Chair Kruse Ways and Means can get substantive.

Morrisette

Barnhart Speaks to ammendment to motion.

TAPE 18, A

006 Barnhart

013 Krummel Refers to section 4, line 19 in HB 2168- 'not to exceed'.
Chair Ammendment to motion.

092 Susan K Wilson HB 2259. Testifies for.

115 Barnhart

117 Wilson Responds

150 Jan Myers

185 Rep. Krummel HB 2059

187 Lisa Boylan

270 Stephen Kafonny

289 Cathy Zarosinski Oregon Physical Therapist, OPTA

372 Rep. Krummel Asks

384	Zarosinski	A complaint would need to be filed.
392	Zarosinski	
398	Kafonny	F
TAPE 17, B		
017	Rep. Krummel	
031	Zarosinski	Responds that
037	Rep. Krummel	
038	Zarosinski	
050	Morrisette	
051	Zarosinski	On complaint basis.
057	Morrisette	
059	Zarosinski	
067	Rep. Krummel	There is something gained if you are unemmployed.
071	Rep. Walker	Asks about medical casenotes (Exhibit M) More than licensing issue here.
097	Rep. Krummel	Explains that
105	Zarosinski	Comments that the board can restrict PT licensure.
112	Rep. Krummel	If board puts restrictions on license, what exam or trial would happen.
119	Zarosinski	NO statutory reason.
127	Rep. Krummel	Continuing ed. Requirement for PT in Oregon.
132	Zarosinski	No, and yes.
137	Susan Wilson	HB 2248
226	Baruti and Bernadette Artharee	In favor of HB 2241. Anecdotes wife's condition.
260	Artharee	Wishes to allow for more public awareness of these issues.
289	Artharee	
321	Rep. Walker	Anecdotes a relative of hers. How many people are participating in renal dialysis?
339	Artharee	2000 patients in Oregon. 100 transplants done each year in Oregon.
359	Sen. Dukes	District 1. Supports and is interested in HB 2241 because of her father. Patients in renal dialysis not being attended to.
TAPE 18, B		
003	Sen. Dukes	No notice taken of these patients. No one called if there is a problem.
022	Fali Sidhva	FMC. Testifies in support of HB 2241. There are gaps in inspections. As provider, wishes for more regulations and inspections- federal gaps in regulations, need more state regulations.
060	Sidhva	Speaks of small clinic in Hermiston, OR.
073	Sidhva	Talks about midicare reimbursement for dialysis. Encourages state of OR to consider to adding general funds and reduce licensure costs.
083	Morrisette	
086	Sidhva	
088	Rep. Lee	Asks
094	Chair Kruse	
096	Grant Higginson	Testifies in support of HB 2241.
129	Higginson	41 Kidney dialysis facilities in OR. No licensure requirement now, just regulatory oversight. Contract w/ HICVA to carry out regulation. Federal funding unpredictable and unreliable.
155	Higginson	In last few years, many complaints around dialysis facilities.

175	Higginson	Offers worst case scenarios. Health Division does have some power to...Two essential pub. Services are: 1. 2. We need this regulatory. Program!
195	Higginson	Adds that
200	Rep. Tomei	Asks that if a facility had no medicade reimbursement then there'd be no oversight or regulation?
216		
220	Rep. Monnes-Anderson	What resulted of the errors in dialysis?
226	Higginson	Ask for correction of the problem.
231	Kathleen Smail	Regulates everything except...Termination from medicare program.
269	Monnes-Anderson	Asks about budgeting.
275	Smail	In regards to fiscal impact,
293	Higginson	
297	Chair Kruse	What is medicare reimbursement
302	Higginson	
304	Sidhna	
306	Morrisette	Are there other medical functions w/o licensure?
314	Higginson	
340	Rep. Walker	Asks if individuals administering dialysis are licensed?
364	Walker	
	Kruse	Closes PUB on HB 2241 and opens work session.
	Krummel	Makes motion
	Monnes-Anderson	
	Chair Kruse	Adjourns at 5:10pm.

Submitted By,

Reviewed By,

Rachel Brown,
Committee Assistant

Diane Lewis,
Committee Administrator

EXHIBIT SUMMARY

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