

HOUSE COMMITTEE ON HEALTH AND PUBLIC ADVOCACY

May 16, 2001
5:30 p.m.

Hearing Room D
Tapes 122 - 125

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

MEMBER EXCUSED: Rep. Carolyn Tomei

STAFF PRESENT: Diane Lewis, Administrator
Rachel Brown, Administrative Support

MEASURE/ISSUES HEARD: HB 3846 – Public Hearing
HB 3778 – Public Hearing and Work Session
HB 2261 – Work Session
HB 2258 – Work Session
SB 431A – Public Hearing and Work Session
SB756 – Public Hearing and Work Session
SB 887 – Public Hearing and Work Session
SB 210B – Public Hearing and Work Session
SB 569A – Public Hearing and Work Session
SB 570A – Public Hearing and Work Session
SB 730A – Public Hearing and Work Session
SCR 8 – 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 122, A		
003	Chair Kruse	Calls the meeting to order at 5:50 p.m. Opens a public hearing on HB 3778.
<u>HB 3778 – PUBLIC HEARING</u>		
008	Diane Lewis	Committee Administrator. Summarizes HB 3778 and the –2 amendments (EXHIBIT C).
022	Bob Repine	Director, Oregon Housing and Community Services. Presents and submits testimony in support of HB 3778 (EXHIBIT A). Also presents support for the –2 amendments.
075	Rep. Barnhart	Asks Mr. Repine for clarification that he supports the proposed –2 amendments.
077	Repine	Clarifies that he supports the –2 amendments.
082	Rep. Janet Carlson	House District 32. Presents and submits testimony in support of HB 3778 (EXHIBIT B). Discusses her support for the –2 amendments.
144	Pat Schwoek	Executive Director, Manufactured Home Owners. Presents testimony in support of HB 3778.
174	Andy Wilch	Housing Finance Manger, Portland Development Commission.

193 Rep. Krummel Presents testimony in support of HB 3778.
Asks about the difference in property rents that would be anticipated.

198 Wilch Responds that they currently have no more than 25 percent of all units in a development affordable to people below the 50 percent median income. [Discussion.]

275 Rep. Krummel Shares his concern with government involvement in a free-market system.

336 Joe Landry Representing Oregon Chapter of the American Planning Association. Presents testimony in support of HB 3778.

360 Diane Lewis Asks if he sees people at the moderate-income level struggling with housing costs.

364 Landry Responds that this is not his policy area and cannot answer the question.

380 Rep. Krummel Refers to the rights of contracted projects using state funds and asks if the trades (contractors) take a reduced fee.

390 Landry Responds that he is not aware of any trades taking a reduced fee.

397 John Blatt Representing, Association of Oregon Community Development Organizations. Submits and presents written testimony in support of HB 3778 [EXHIBIT D].

420 Blatt Continues with testimony by describing a proposed redevelopment project in downtown Roseburg.

TAPE 123, A

020 Chair Kruse Comments that the issue of redevelopment was dealt with last session.

030 Chair Kruse Closes the public hearing on HB 3778 and opens a work session on HB 3778.

HB 3778 – WORK SESSION

032 Rep. Barnhart **MOTION: Moves to ADOPT HB 3778-2 amendments dated 04/23/01.**

034 Chair Kruse **VOTE: 8-0**

035 Chair Kruse **EXCUSED: 1 - Tomei**

036 Rep. Barnhart **Hearing no objection, declares the motion CARRIED.**

038 Rep. Garrard **MOTION: Moves HB 3778 to the floor with a DO PASS AS AMENDED recommendation.**

042 Rep. Krummel Voices his opposition to the bill and concern with taking money from low-income persons.

083 Rep. Barnhart Voices his concerns with housing subsidies and rate differentials. Comments on the history of rental increases in the 1980's and notes that the government has always been involved in rental housing.

108 Rep. Morrisette States that density is the answer to urban sprawl, which is the intent of the bill.

140 Chair Kruse Provides his support of the bill, and states that it adds a tool for the revitalization of depressed urban centers in the state, and provides the legislature with a tool to solve some of the problems with mobile home parks.

150 Committee Staff **VOTE: 6-1**
AYE: 6 - Barnhart, Krummel, Lee, Morrisette, Walker C, Kruse
NAY: 1 - Garrard
EXCUSED: 2 - Monnes Anderson, Tomei

153	Chair Kruse	The motion CARRIES. REP. MORRISETTE will lead discussion on the floor.
155	Committee Staff	Submits testimony on behalf of Bartholomew Martin (EXHIBIT E).
156	Chair Kruse	Closes the work session on HB 3778 and opens a public hearing on HB 3846.
<u>HB 3846 – PUBLIC HEARING</u>		
157	Diane Lewis	Committee Administrator. Summarizes HB 3846.
168	Dr. Michael Megehee	Chiropractic Physician. Presents and submits written testimony in support of HB 3846 (EXHIBIT F).
235	Megehee	Continues with testimony on provider legislation: patient freedom of choice initiative.
310	Megehee	Continues with testimony regarding insurance fees.
410	Megehee	Continues with testimony regarding change in costs.
430	Rep. Morrisette	Asks if there would be restrictions in terms of making referrals.
TAPE 122, B		
002	Megehee	Responds that this initiative allows an insurer to require that an individual chose a primary care physician, but the choice can be made from among any physician and allows patient freedom of choice.
013	Rep. Krummel	Refers to section 3, lines 31 & 32 and asks why naturopathic physicians were left out of the bill.
017	Megehee	Responds that although he supports the inclusion, it was determined that this would have caused too many questions in the voter's minds if all alternative care practitioners were included.
042	Wayne Schumacher	Executive Director, Optometric Physicians Association. Presents testimony in support of HB 3846.
048	Larry Harvey	Chiropractic Association of Oregon. Presents testimony in support of HB 3846.
127	Rep. Krummel	Asks if Mr. Harvey agrees that people can currently choose their health care providers.
130	Harvey	Responds that not everyone can afford to choose.
165	Jane Myers	Oregon Dental Association. Submits and presents their "soft" support to HB 3846 (EXHIBIT G). Also presents concerns to language relating to dental-only plans and on-going medical care.
217	Bruce Bishop	Kaiser Foundation Health Plan of the Northwest. Submits and presents testimony in opposition to HB 3846 [EXHIBIT H].
310	Rep. Krummel	Asks if Kaiser is exempt from the bill (referred to in section 5).
313	Bishop	Explains the Kaiser belief that managed-care entities offering managed-care plans were not intended to be excluded. [Discussion.]
368	Speaker Mark Simmons	House District 58. States that the bill articulates an idea and concept that is very important to both the public and health care professionals. Asks Mr. Bishop if he would be willing to participate in a work group to further explore the issue.
370	Bishop	Responds that Keizer Permanente believes this to be a model of consumer choice and agrees to participate in a work group.
408	Lewis	Refers to previous testifiers who stated that without competition the care and services provided by doctors are "not rising to the plate," and asks Mr. Bishop to respond to the statement.

414	Bishop	Responds that there is extensive competition in the Oregon health care market and the question to ask is, "At what level should competition occur?"
TAPE 123, B		
021	Rep. Garrard	States that managed care is seen as a failure by most Americans and the bill addresses the first change that must occur.
023	Rep. Krummel	Asks if the services of chiropractors and naturopaths are utilized within the Kaiser Health System.
024	Bishop	Responds that chiropractic referrals are available, but there is not a similar arrangement for naturopaths.
036	Rep. Morrisette	Refers to the word "shall" in section 2, line 6, relating to managed-care plans which appears to include the Kaiser Health Plan group.
038	Bishop	Responds that the language is a stronger indication than the proponents intended. [Discussion.]
043	Rep. Barnhart	Asks Mr. Bishop if he agrees with the perception that their organization is different from others in that their services tend to be housed together.
069	Bishop	Responds that Kaiser is not unique in the country, but is unique in its design and is easily distinguishable from other managed-care options.
083	Rep. Barnhart	Asks if legislation could be drafted to exclude Kaiser Health Systems, but include other managed-care plans that allow a freedom of choice.
096	Bishop	Responds that it would be possible, but the fundamental problem is the federal law.
097	Committee Staff	Submits testimony on behalf of Peggy Anet (EXHIBIT I).
117	Chair Kruse	Closes the public hearing on HB 3846. Calls the meeting to recess for a dinner break.
125	Chair Kruse	Reconvenes meeting and opens a work session on HB 2261.
<u>HB 2261 – WORK SESSION</u>		
127	Chair Kruse	Explains that HB 2261 and HB 2258 are on the agenda for the express purpose of referring them back to the House Floor.
133	Rep. Barnhart	MOTION: Moves HB 2261 to be RETURNED to the floor with a DO PASS recommendation.
135	Committee Staff	VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 4 - Tomei, Krummel, Garrard, Lee
140	Chair Kruse	The motion CARRIES. REP. BARNHART will lead discussion on the floor.
142	Chair Kruse	Closes the work session on HB 2261 and opens a work session on HB 2258.
<u>HB 2258 – WORK SESSION</u>		
144	Rep. Morrisette	MOTION: Moves HB 2258 to be RETURNED to the floor with a DO PASS recommendation.
147	Committee Staff	VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Tomei, Krummel
151	Chair Kruse	The motion CARRIES. REP. MORRISETTE will lead discussion on the floor.
153	Lewis	Submits to the committee written information previously

155 Chair Kruse requested by the committee on migrant farm working housing issues: the Migrant Million program (**EXHIBIT J**).
Closes the work session on HB 2258 and opens a public hearing on SB 210B.

SB 210B – PUBLIC HEARING

165 Diane Lewis Committee Administrator. Summarizes SB 210B.
187 Gary Lane Eugene Resident. Submits and presents written testimony in support of SB 210B (**EXHIBIT K**).
252 Rep. Morrisette Provides character reference to Mr. Lane and expresses appreciation to the service he provides to the state.
275 Rep. Garrard Asks about his compensation fee for providing foster care to five adults.
278 Lane Responds that he is compensated at a rate of \$700-\$900 a month.
290 Mary Slawosky Tigard Resident. Submits and presents written testimony in support of SB 210B (**EXHIBIT L**).
352 Grover Simmons Representing Adult Foster Home Industry. Submits and presents written testimony in support of SB 210B (**EXHIBIT M**).
410 Simmons Continues with testimony on false complaints process.
437 Rep. Barnhart Asks if the language that is in the bill relating to complaints does not cover issues raised by Mr. Simmons.

TAPE 124, A

008 Simmons Responds that they have never been able to effectively monitor this problem and have had to rely on good faith. The history of this problem usually involved employees who fabricated situations and attempted to prove the situation existed.
[Discussion.]
041 Daniela Fora Adult Care Provider, Multnomah County. Presents testimony in support of SB 210B.
077 Joan Gallegly Owner-Operator, Adult Foster Home, Multnomah County. Submits and presents testimony in support of SB 210B (**EXHIBIT N**).
104 Chair Kruse Closes the public hearing on SB 210B and opens a work session on SB 210B.

SB 210B – WORK SESSION

105 Rep. Walker **MOTION: Moves SB 210B to the floor with a DO PASS recommendation.**
110 Committee Staff **VOTE: 8-0**
AYE: In a roll call vote, all members present vote Aye.
113 Chair Kruse **EXCUSED: 1 - Tomei**
The motion CARRIES.
REP. MONNES-ANDERSON will lead discussion on the floor.

114 Chair Kruse Closes the work session on SB 210B and opens a public hearing on SB 431A.

SB 431A – PUBLIC HEARING

117 Diane Lewis Committee Administrator. Summarizes SB 431A.
126 Elizabeth Buys Administrator, State Board of Clinical Social Workers. Submits and presents written testimony in support of SB 431A (**EXHIBIT O**).
150 Rep. Barnhart Asks what other effects does the bill have.
156 Buys Explains that currently they are paying dual fees to the Health Division and the Oregon Department of Administrative Services.

168	Rep. Barnhart	Adds that the bill will allow everything to be billed in one place. Asks if there is any implication to how their budget is being handled by the legislature.
169	Buys	Responds that there would be no budget implications.
178	Lewis	Shares that she received notice of support for SB 431A from the Health Division.
182	Chair Kruse	Closes the public hearing on SB 431A and opens a work session SB 431A.

SB 431A – WORK SESSION

185	Rep. Walker	MOTION: Moves SB 431A to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the Ways and Means committee BE RESCINDED.
194	Committee Staff	VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 2 - Morrisette, Tomei
199	Chair Kruse	The motion CARRIES.
201	Rep. Walker	MOTION: Moves SB 431A be placed on the CONSENT CALENDAR.
203	Chair Kruse	VOTE: 7-0
		EXCUSED: 2 - Morrisette, Tomei
204	Chair Kruse	Hearing no objection, declares the motion CARRIED.
205	Chair Kruse	Closes the work session on SB 431A and opens a public hearing on SB 756.

SB 756 - PUBLIC HEARING

210	Diane Lewis	Committee Administrator. Summarizes SB 756. Submits written testimony on behalf of Diana Goodwin, attorney who worked on the development of the measure (EXHIBIT P).
227	Kristin Hilfiker	Child Foster Parent, Multnomah County. Submits and presents testimony in support of SB 756 (EXHIBIT Q).
262	Eunice Phillipi	Foster Parent, Troutdale, Oregon. Submits and presents testimony in support of SB 756 (EXHIBIT R).
282	Sonya Fischer	Representing, Oregon Developmental Disabilities Council. Submits and presents testimony in support of SB 756 (EXHIBIT S).
298	Rep. Krummel	Refers to testimony concerning difficulties in obtaining a license as an adult foster care unit and asks if this is because of the governing rules.
304	Hilfiker	Responds that rules for becoming an adult foster care provider are onerous, difficult, and rigid. Further describes problems with the rules process.
326	Rep. Monnes-Anderson	Asks for confirmation that children can stay in the school system until age 21, and asks if the bill would provide continuity.
328	Philippe	Responds affirmatively to both questions.
335	Committee Staff	Submits testimony on behalf of Mary Earl, Foster Parent (EXHIBIT T).
336	Chair Kruse	Closes the public hearing on SB 756 and opens a work session on SB 756.

SB 756 – WORK SESSION

340	Rep. Morrisette	MOTION: Moves SB 756 to the floor with a DO PASS recommendation.
343	Committee Staff	VOTE: 8-0

**AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Tomei
The motion CARRIES.**

345 Chair Kruse

352 Rep. Walker

**MOTION: Moves SB 756 be placed on the CONSENT
CALENDAR.**

358 Chair Kruse **VOTE: 8-0**
362 Chair Kruse **EXCUSED: 1 - Tomei**
Hearing no objection, declares the motion CARRIED.

366 Chair Kruse Closes the work session on SB 756 and opens a public hearing on SB 887.

SB 887 – PUBLIC HEARING

367 Diane Lewis Committee Administrator. Summarizes SB 887.
375 Margaret Carley Deputy Director, Oregon Health Care Association. Submits and presents testimony in support of SB 887 (**EXHIBIT U**).
402 Rep. Walker Refers to language concerning 60-day temporary assignments and asks if more than one 60-day assignment can be done at a time.
407 Carley Responds that the assignment terminates at the end of the 60-day period, which allows time to investigate if a license had been submitted in other states. [Discussion.]
428 Chair Kruse Closes the public hearing on SB 887 and opens a work session on SB 887.

TAPE 125, A

SB 887 – WORK SESSION

008 Rep. Monnes-Anderson **MOTION: Moves SB 887 to the floor with a DO PASS recommendation.**
010 Committee Staff **VOTE: 8-0**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Tomei
015 Chair Kruse **The motion CARRIES.**
REP. MONNES-ANDERSON will lead discussion on the floor.

017 Chair Kruse Closes the work session on SB 887 and opens a public hearing on SB 569A

SB 569A – PUBLIC HEARING

020 Diane Lewis Committee Administrator. Summarizes SB 569A.
032 Amy Klare Oregon Society of Physician Assistants. Submits and presents testimony in support of SB 569A (**EXHIBIT V**).
047 Rep. Krummel Asks about the increase in the number of physician assistants referenced in the bill who can be supervised.
055 Curt Hawkinson President, Oregon Society of Physician Assistants. Responds that this was in response to some of the shortage areas where there are not enough physicians to provide care in rural areas.
069 Jim Anderson Oregon Medical Association. Presents testimony in support of HB 569A.
087 Chair Kruse Closes the public hearing on SB 569A and opens a work session on SB 569A.

SB 569A – WORK SESSION

093 Rep. Barnhart **MOTION: Moves SB 569A to the floor with a DO PASS recommendation.**
095 Committee Staff **VOTE: 8-0**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Tomei
098 Chair Kruse **The motion CARRIES.**
102 Rep. Barnhart **MOTION: Moves SB 569A be placed on the CONSENT**

CALENDAR.

103 Chair Kruse

VOTE: 8-0

104 Chair Kruse

EXCUSED: 1 - Tomei

Hearing no objection, declares the motion CARRIED.

105 Chair Kruse

Closes the work session on SB 569A and opens a public hearing on SB 570A.

SB 570A – PUBLIC HEARING

108 Diane Lewis

Committee Administrator. Summarizes SB 570A.

117 Amy Klare

Oregon Society of Physician Assistants. Submits and presents testimony in support of SB 570A (**EXHIBIT W**).

135 Rep. Barnhart

Asks about the error in ORS 667.495 (4)(a), referred to in written testimony.

140 Klare

Agrees that there may have been an error in and offers to provide correction.

153 Jim Anderson

Oregon Medical Association. Presents testimony in support of SB 570A.

167 Rep. Barnhart

Asks if there is an increased comfort level by the physicians, which allows them to reduce some of the restrictions.

169 Anderson

Responds that physician assistants are certainly needed and the face of Oregon is changing which in turn affects current law practices; but oversight still needs to be managed correctly.

173 Chair Kruse

Closes the public hearing on SB 570A and opens a work session on SB 570A

SB 570A – WORK SESSION

192 Rep. Barnhart

MOTION: Moves SB 570 to the floor with a DO PASS recommendation.

195 Committee Staff

VOTE: 8-0

AYE: In a roll call vote, all members present vote Aye.

201 Chair Kruse

EXCUSED: 1 - Tomei

The motion CARRIES.

202 Rep. Barnhart

MOTION: Moves SB 570A be placed on the CONSENT CALENDAR.

203 Chair Kruse

VOTE: 8-0

EXCUSED: 1 – Tomei

205 Chair Kruse

Hearing no objection, declares the motion CARRIED.

206 Chair Kruse

Closes the work session on SB 570A and opens a public hearing on SB 730A.

SB 730A – PUBLIC HEARING

208 Diane Lewis

Committee Administrator. Summarizes SB 730A.

231 Abby Hoffman

Oregon Midwifery Council. Presents testimony in support of SB 730A.

280 Jim Anderson

Oregon Medical Association (OMA). Presents testimony in support of SB 730A. Shares concerns relating to medications used by midwives.

340 Rep. Monnes-

Asks if a midwife currently has a standing order to obtain drugs from a pharmacy.

Anderson

45 Hoffman

Agrees.

355 Lewis

Asks to define the term “legend drug.”

357 Anderson

Defines that drugs are listed by schedule and the term is referred

360 Chair Kruse to as legend drugs.
Closes the public hearing on SB 730A and opens a work session on SB 730A.

SB 730A – WORK SESSION

364 Rep. Barnhart **MOTION: Moves SB 730A to the floor with a DO PASS recommendation.**

372 Committee Staff **VOTE: 8-0**
AYE: In a roll call vote, all members present vote Aye.

379 Chair Kruse **EXCUSED: 1 - Tomei**
The motion CARRIES.
REP. GARRARD will lead discussion on the floor.

381 Chair Kruse Closes the work session on SB 730A and opens a public hearing on SCR 8.

SCR 8 – PUBLIC HEARING

389 Diane Lewis Committee Administrator. Summarizes SCR 8.

408 Chair Kruse Closes the public hearing on SCR 8 and opens a work session on SCR 8.

SCR 8 – WORK SESSION

413 Rep. Krummel **MOTION: Moves SCR 8 be sent to the floor with a BE ADOPTED recommendation.**

415 Committee Staff **VOTE: 8-0**
AYE: In a roll call vote, all members present vote Aye.

422 Chair Kruse **EXCUSED: 1 - Tomei**
The motion CARRIES.
REP. MONNES-ANDERSON will lead discussion on the floor.

425 Chair Kruse Closes the work session on SCR 8.

426 Chair Kruse Adjourns the meeting at 9:00 p.m.

Submitted By,

Reviewed By,

Rachel Brown,
Committee Administrator

Diane Lewis,
Committee Administrator

Transcribed By,

Nora Carlson

EXHIBIT SUMMARY

A – HB 3778, written testimony, Bob Repine, 1pp

B – HB 3778, written material, Rep. Janet Carlson, 6pp

C – HB 3778, proposed –2 amendments, Rep. Janet Carlson, 1pp

D – HB 3778, written testimony, John Blatt, 1pp

E – HB 3778, written testimony, Committee Staff, 1pp

F – HB 3846, written testimony, Dr. Michael Megehee, 5pp
G – HB 3846, written testimony, Jane Myers, 1pp
H – HB 3846, written testimony and material, Bruce Bishop, 9pp
I – HB 3846, written testimony, Committee Staff, 4pp
J – HB 3846, written testimony, Committee Staff, 16pp
K – SB 210B, written testimony, Gary Lane, 1pp
L – SB 210B, written testimony, Mary Slawosky, 1pp
M – SB 210B, written testimony, Grover Simmons, 1pp
N – SB 210B, written testimony, Joan Gallegly, 1pp
O – SB 431A, written testimony, Elizabeth Buys, 2pp
P – SB 756, written testimony, Committee Staff, 2pp
Q – SB 756, written testimony, Kristin Hilfiker, 1pp
R – SB 756, written testimony, Eunice Phillipi, 1pp
S – SB 756, written testimony, Sonya Fischer, 1pp
T – SB 756, written testimony, Committee Staff, 1pp
U – SB 887, written testimony, Margaret Carley, 2pp
V – SB 569A, written testimony, Amy Klare, 1pp
W – SB 570A, written testimony, Amy Klare, 1pp