

## SENATE COMMITTEE ON EDUCATION

January 16, 2001 Hearing Room B  
3:00 p.m. Tapes 3-4

**MEMBERS PRESENT:**        **Sen. Charles Starr, Chair**  
                                  **Sen. Susan Castillo, Vice-Chair**  
                                  **Sen. Ryan Deckert**  
                                  **Sen. Ted Ferrioli**  
                                  **Sen. Bill Fisher**  
                                  **Sen. Avel Gordly**  
                                  **Sen. Tom Hartung**

**MEMBER EXCUSED:**

**STAFF PRESENT:**        **Jan McComb, Committee Administrator**  
                                  **Jennifer Simmons, Committee Assistant**

**MEASURE/ISSUES HEARD:**        **SJR 3**  
  **SB 160**

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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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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 3, A</b>		
004	Chair Starr	Calls the meeting to order at 3:08 p.m. Opens public hearing on SJR 3.
<b><u>PUBLIC HEARING- SJR 3</u></b>		
010	Jan McComb	Administrator. Gives overview of joint resolution.
014	Chair Starr	Introduces Mark Siegel.
017	Mark Siegel	Executive Director, Oregon Association of Independent Schools. Testifies in support of the resolution.
030	Sen. Hartung	Asks if there is collaboration with home school programs.
034	Siegel	Answers that many private schools interact with local home school programs.
040	Sen. Hartung	Asks if home schoolers pay for extra curricular activities at private schools.
046	Siegel	Answers that they do make arrangements with private schools.
053	Sen. Hartung	Praises efforts of both private and home schools.
056	Chair Starr	Thanks Siegel.
061	Sen. Fisher	States that he supports private and home schools.
090	Chair Starr	Closes public hearing. Opens work session on SJR 3.
<b><u>WORK SESSION- SJR 3</u></b>		
093	Sen. Castillo	<b>MOTION: Moves SJR 3 be sent to the floor with a BE ADOPTED recommendation.</b>
095	Chair Starr	<b>VOTE: 6-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Ferrioli</b>

**The motion CARRIES.**

**SEN. FISHER will lead discussion on the floor.**

111	Chair Starr	Opens public hearing on SB 160.
<b><u>PUBLIC HEARING- SB 160</u></b>		
115	Chair Starr	Introduces first witnesses.
122	Wes Ediger	OSAA. Submits <b>EXHIBIT A</b> to the committee. Begins to testify in support of the bill.
141	Sen. Courtney	Reads from written testimony, including -1 amendments, <b>EXHIBIT B</b> .
207	Sen. Fisher	Asks if schools are responsible for paying for these physicals.
219	Sen. Courtney	Answers that there will be no state funding. States that many schools may find alternate ways of funding.
250	Sen. Deckert	Expresses concerns over creating more expense for students to participate in sports.
275	Ediger	States that some private businesses donate funds to OSAA for low- income students to participate in sports.
291	Sen. Deckert	States that in his district, parents are forced to pay too much for overall expenses relating to school sports.
305	Ediger	Explains that each school district sets their own costs for participation in sports.
321	Sen. Castillo	States that she also has concerns about low-income students having access to required physical examinations.
335	Sen. Hartung	Asks Courtney if there is an examination to prevent spinal cord injuries.
349	Ediger	Answers that there are doctors coming to testify that can perhaps answer that question.
356	Sen. Courtney	States that some doctors are willing to cooperate with low-income students.
407	Sen. Gordly	Asks what level of physical would be required and what is the cost of each physical.
423	Sen. Courtney	Answers that he is not prepared to answer that question.
445	Ediger	States goal of OSAA in keeping sports safe for children. Introduces Tom Welter.
<b><u>TAPE 4, A</u></b>		
008	Tom Welter	OSAA. Testifies in support of the bill. Introduces Dr. Thad Stanford.
056	Dr. Thad Stanford	Orthopedic surgeon, Salem. States that most districts already have a required physical examination to participate in sports. Refers to <b>EXHIBIT C</b> . States that there has been an increase in non-direct fatal injuries.
112	Sen. Ferrioli	Discusses the issue of non-medical doctors providing screening for school sports.
144	Stanford	Responds to Sen. Ferrioli. States that a chiropractor does not have enough training to provide screening for pulmonary function.
158	Sen. Ferrioli	States that he does not believe a parent would put an unhealthy child into sports. Expresses concern for rural schools to be able to enforce this bill.
170	Sen. Fisher	Asks about statistics of sports related injuries in schools, and how many could have been prevented by these screening measures. Relates specific stories.
206	Stanford	Responds that he has no statistics, perhaps another doctor does.
215	Dr. Tom Van Veen	Gives overview of personal history. Refers to <b>EXHIBIT C</b> .
279	Chair Starr	Introduces Rep. Backlund

287	Rep. Backlund	Testifies in support of the bill.
321	Sen. Fisher	Asks about examining for physical education and other intramural sports.
329	Rep. Backlund	Responds that his understanding is that the bill applies only to competitive school sports.
334	Sen. Fisher	States that he believes students participating in physical education could be just as at risk as students who compete in sports.
354	Rep. Backlund	Responds that in competitive sports there are long practices and heavy conditioning.
370	Sen. Fisher	Asks if there have been any deaths in non-competitive sports in schools.
373	Rep. Backlund	Answers that he does not believe there have been any deaths in physical education.
400	Sen. Fisher	Asks if there had been a recent physical examination of the recent Beaverton football player that died.
407	Rep. Backlund	Answers that he does not know specifics on that particular case.
425	Sen. Deckert	States that the Beaverton player did have his required physical examination. Also states further concerns over cost.
<b>TAPE 3, B</b>		
005	Rep. Backlund	Responds to Sen. Deckert. States that there are ways to waive fees for low-income students and there are various fundraising activities.
020	Sen. Deckert	Asks if most students are aware of the ways around fees.
024	Rep. Backlund	Answers that most students do know about the waivers.
034	Chair Starr	Thanks Rep. Backlund.
037	Welter	Gives committee some statistics regarding recent deaths in school sports. States that most deaths could have been prevented using the physical examination.
052	Sen. Fisher	Asks if these students had their physicals.
053	Welter	Answers that he does not know.
056	Sen. Fisher	Asks how to find out.
057	Welter	Answers that he can ask specific schools.
058	Sen. Fisher	Expresses a strong desire to see statistics that show this bill is needed.
075	Welter	Offers to get the information and deliver to the chair.
077	Chair Starr	Accepts offer. Introduces next witness.
085	Dr. Linn Goldberg	Professor of Medicine, OHSU. Testifies in support of bill. Explains that exams are sometimes the only time these students see a doctor. Says the exams can be useful in detecting diseases in these students.
126	Sen. Fisher	Asks if these exams would detect the types of diseases Dr. Goldberg is referring to.
128	Goldberg	Answers yes these exams are helpful. Adds that exams are helpful in detection of drug use by students.
148	Sen. Ferrioli	Expresses concerns for rural students having access to resident doctors. Asks how the medical community in these areas will cope with having to perform exams on every student athlete.
167	Dr. Linn Goldberg	Responds that these exams are biannual. Also says that these areas have rural clinics. Comments on the effort players will give to play sports.
186	Sen. Ferrioli	States that he has more concern of the effect on the health care workers in these areas. Does not want voters to think of this as an unfunded mandate.

203	Goldberg	Comments on higher rate of drug use in rural areas. Reiterates the need of these exams to detect drug use.
210	Dr. David Sahn	Professor of Pediatric Medicine, OHSU. Testifies in support of the bill. Submits <b>EXHIBIT D</b> . States importance of knowing the medical history of the student.
291	Sen. Fisher	Expresses concern over rural students having access to resident doctors.
315	Goldberg	States that OHSU has many clinics in rural areas.
317	Sen. Fisher	States that he is aware of the work OHSU is doing. Wants to know how many deaths this bill would prevent.
335	Goldberg	Says that he travels four to six hours going to rural areas. Stresses that rural students are able to take one physical exam biannually.
358	Sen. Fisher	Comments that he would also like to know how many injuries this bill would prevent.
372	Goldberg	Gives a specific example of a disease that kills athletes and explains how it could have been prevented.
417	Sen. Fisher	Clarifies what statistics he is looking for.
437	Goldberg	States that there is no central location where these of statistics are kept.
446	Sen. Fisher	Expresses concern over putting pressure on the schools with this mandate.
<b>TAPE 4, B</b>		
015	Sahn	Gives details on proposed screening test.
034	Sen. Fisher	States that he believes that the program in place is sufficient.
048	Chair Starr	Suggests hearing from remaining witnesses. States his understanding of what has been presented so far.
066	Sen. Ferrioli	States that he is inclined to support the bill. Explains that he still has many concerns.
095	Goldberg	States that many of the students compete in more than one sport.
104	Sahn	Suggests that if this exam were mandated physicians might donate their time.
114	Sen. Gordly	Expresses a desire to look past the inequities of the medical system and look at if this bill would help children.
148	Chair Starr	Introduces next witnesses.
152	Mike Maghan	Athletic Director, McNary High School. Testifies in support of the bill. Explains briefly how the school keeps records on these exams.
208	Jim Anderson	Oregon Medical Association. Submits Dr. James Lacey's written testimony, <b>EXHIBIT E</b> . Reads from his own written testimony, <b>EXHIBIT F</b> .
266	Greg McMurdo	Oregon Department of Education. States that he would be happy to help Anderson come up with language that he desires.
278	Sen. Fisher	States that he does not want to pass this bill as a "feel good".
320	Chair Starr	Advises Sen. Fisher to speak with his constituents regarding the bill and seek their opinion. Also states his support of the bill.
356	Ed Johnston	Citizen, Lincoln County. Testifies against bill.
430	Sen. Gordly	States interest in finding out how bill would affect private schools.
442	Chair Starr	Declares meeting adjourns at 4:58 p.m.

Submitted By,

Reviewed By,

Jennifer Simmons,  
Committee Assistant

Jan McComb,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – SB 160, sports physical forms and written testimony, OSAA, 4pp**
- B – SB 160, written testimony and proposed –1 amendments, Sen. Courtney, 2pp**
- C – SB 160, examination and permit card, Dr. Thad Stanford, 2pp**
- D – SB 160, AHA medical/scientific statements, Dr. David Sahn, 10 pp**
- E – SB 160, written testimony, Dr. James Lace, 1 pp**
- F – SB 160, written testimony, Jim Anderson, 3pp**