

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

January 19, 2001
1:00 PM

Hearing Room B
Tapes 4 - 5

MEMBERS PRESENT: **Sen. Bill Fisher, Chair**
 Sen. Margaret Carter, Vice-Chair
 Sen. Gary George
 Sen. Frank Shields
 Sen. Ken Messerle

STAFF PRESENT: **Rick Berkobien, Administrator**
 Andrew Morris, Committee Assistant

MEASURE/ISSUES HEARD: **SB 42 Public Hearing**
 SB 157 Public Hearing

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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 4, A		
004	Chair Fisher	Calls the meeting to order at 1:10 p.m.
009	Sen. Carter	Introduces self to the committee.
065	Chair Fisher	Opens a public hearing on SB 42
<u>SB 42 PUBLIC HEARING</u>		
070	Rick Berkobien	Administrator. Explains SB 42 to the committee.
117	Dan Kaplan	Deputy Administrator, Senior and Disabled Services Division (SDSD). Testifies in opposition to SB 42. Presents (EXHIBIT A) to the committee. States the opposition to the bill is due to the fiscal impact. Comments on prospective costs of SB 42.
173	Sen. Shields	Asks if federal audits exist.
177	Kaplan	Responds the audits are externally done and submitted to SDSD.
188	Sen. Shields	Asks if counties are doing their own audits.
212	Kaplan	Responds affirmatively. States that Area Agencies on Aging (AAA) do extensive audits internally.
242	Sen. Carter	Asks about continuity.
264	Kaplan	Responds that reports are compiled showing how the population is served and the resources that are involved.
288	Sen. Carter	States that SDSD has the information they need to make decisions on programs.
305	Chair Fisher	Comments on the differences in costs between rural and urban areas. Discusses cost comparisons.
349	Kaplan	States that equity is a complicated issue. Comments on the equity gap between private and public facilities.
375	Sen. Carter	Asks how much the bill would cost.
380	Kaplan	Responds about \$345,000.
386	Sen. Carter	Comments on the impact the cost would have on programs.
410	Chair Fisher	Discusses the importance of oversight.
423	Sen. Carter	States the data exists.
435	Chair Fisher	States the audit committee said the data does not exist.
450	Sen. Carter	Asks if the data was available before the final report was

456 Kaplan completed
Responds the objection was that the data was not put together in one place.

TAPE 5, A

000 Sen. Carter Asks if the data would be available on request.
003 Kaplan Responds affirmatively.
007 Sen. Carter Asks if the division was given performance questions.
010 Kaplan Responds it was discussed with committee staff.
014 Sen. Carter Comments on auditing practices.
028 Chair Fisher Comments on SB 42.
043 Kaplan States the division has the ability to compile the data. States the money does not exist to complete the field reviews the bill calls for.

069 Chair Fisher Asks about the funding decisions and how they were made.
072 Kaplan Responds funding equity was a problem that grew over time and now it would be very expensive to fix.

079 Chair Fisher Asks why the division does not just remove 10 percent from the contracts to make things equal.

082 Kaplan Responds by explaining the differences in budgeting between the local and state level.

113 Chair Fisher Asks about contracting possibilities.
118 Kaplan Responds the possibility exists.
123 Chair Fisher States support for equitable funding.
132 Sen. Messerle Comments on personal auditing experience. Proposes combining the federal and state audits.

153 Kaplan States support of combining resources.
161 Sen. Carter Comments on differences between contracting and transferring agencies.

179 Chair Fisher Thanks Kaplan for his work.
194 Jacqueline Zimmer Oregon Association of Area Agencies on Aging and Disabilities (O4AD). Testifies in opposition to SB 42. Gives background of SB 42. States support of accountability. Comments on audits that have been done. States the interim audit showed there were no mismanagement of funds.

265 Don Butsch Governor's Commission on Senior Services. Presents testimony in opposition to SB 42 (**EXHIBIT B**). States concerns about the fiscal impact of the bill.

303 Chair Fisher Comments on funding SB 42. Closes the public hearing on SB 42 and opens a public hearing on SB 157.

SB 157 PUBLIC HEARING

320 Berkobien Explains SB 157 to the committee.
350 Gem Burke Constituent. Presents testimony in support of SB 157 (**EXHIBIT C**). Comments on personal experiences. Gives background of SB 157.

TAPE 4, B

000 Chair Fisher Comments on possible amendments. States the bill needs work done on it. States another bill may be drafted.

031 Michael Skeels Oregon Health Division. Presents testimony in opposition to SB 157 (**EXHIBIT D**). Explains previous legislation that allows for health screening in a non-medical environment. Comments on the importance of oversight. States there are seven tests that can be done without a doctor's order.

090 Skeels Discusses concerns.
102 Chair Fisher Comments on access to services without requiring a doctor's

		approval. Relates a possible scenario. States it would be up to the individual to cover the costs of the test. States that other states have a similar law as what is proposed in SB 157.
163	Sen. Carter	Asks if the bill could allow for abuse.
176	Skeels	Responds the industry is highly regulated, however, there is room for interpretation of federal laws.
235	Chair Fisher	Comments on the intent of SB 157.
252	Skeels	Comments on the statute passed in 1989, which allows for specific testing.
270	Scott Gallant	Oregon Medical Association (OMA). Testifies on SB 157. States the OMA has concerns with the bill in its current form.
305	Chair Fisher	Asks if there are routine tests that require a physician's presence or direct coordination with a lab.
325	Gallant	Responds there are certain tests where presence or coordination is important. Comments on medical purposes for testing.
366	Chair Fisher	States the bill relates to blood drawn testing. Comments on the intent of the bill.
443	Gallant	Comments on faulty test results.
TAPE 5, B		
000	Chair Fisher	States a new bill needs to be drafted. Comments on communication with insurance companies.
021	Chair Fisher	Closes the public hearing on SB 157 and adjourns the meeting at 3:41 p.m.

Submitted By,

Reviewed By,

Andrew Morris,
Committee Assistant

Rick Berkobien,
Administrator

EXHIBIT SUMMARY

- A – SB 42, Submitted Testimony, Dan Kaplan, 2 pp.**
- B – SB 42, Written Testimony, Don Butsch, 1 p.**
- C – SB 157, Fact Sheet, Gem Burke, 2 pp.**
- D – SB 157, Written Testimony, Michael Skeels, 2 pp.**