

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

January 26, 2001
1:00 PM

Hearing Room B
Tapes 13 - 15

MEMBERS PRESENT: Sen. Bill Fisher, Chair
Sen. Gary George
Sen. Frank Shields
Sen. Ken Messerle

MEMBER EXCUSED: Sen. Margaret Carter, Vice-Chair

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

MEASURES HEARD: SB 288 Public Hearing
SB 385 Public Hearing and Work Session
SB 431 Public Hearing and Work Session
SB 410 Public Hearing and Work Session
SB 409 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 13, A		
004	Chair Fisher	Calls meeting to order at 1:07 p.m. and opens a public hearing on SB 288.
<u>SB 288 PUBLIC HEARING</u>		
007	Rick Berkobien	Administrator. Explains SB 288 to the committee.
041	Charles Simpson	Board Member, Oregon Board of Chiropractic Examiners. Presents testimony in support of SB 288 (EXHIBIT A). States the bill will assist with public protection and deal with housekeeping issues.
066	Sen. George	Asks about unlicensed practice.
067	Simpson	Responds by explaining unlicensed practice. States the concern is over people who set up practices without being licensed.
080	Sen. George	Asks about an unlicensed person providing free chiropractic services.
088	Dave McTeague	Executive Director, Oregon Board of Chiropractic Examiners. Responds by relating recent experiences. States the board would send communication to the unlicensed person explaining concerns.
111	Simpson	Relates a possible experience. States the bill will allow the board to pursue sanctions against a licensee.
143	Sen. Messerle	Asks about chiropractors traveling with professional sports teams and reciprocity with other states.
152	McTeague	Responds by explaining the procedure.
159	Chair Fisher	Comments on the language of the bill. Asks what happens to a person who has been unlicensed for over a year.
178	McTeague	Responds that it is an unusual situation. States that a person would have to reapply. Discusses the application process.

205	Chair Fisher	Discusses the proposed language. Closes the public hearing on SB 288 and opens a public hearing on SB 385.
<u>SB 385 PUBLIC HEARING</u>		
249	Barry Kast	Administrator, Mental Health Developmentally Disabled Services Division (MHDDSD). Presents testimony in support of SB 385 (EXHIBIT B). Gives background of SB 385. Comments on native tribes that wish to be involved in providing mental health services to members.
301	Sen. Shields	Asks why the original restriction was in place.
306	Kast	Responds it was to keep mental health services controlled by the counties.
324	Chair Fisher	Asks if any groups have problems with the bill.
333	Kast	Responds there are not any objections to the concept in the bill. Comments on a cooperative effort of parties involved.
347	Sen. Messerle	Asks about tribes offering services to non-tribal members.
357	Kast	Responds it would be okay as long public funds are not involved.
374	Sen. Messerle	Comments on mental health treatment in rural areas.
384	Kast	Explains federal policy to the committee.
410	Justin Martin	Confederated Tribes of Grande Ronde. Presents testimony in support of SB 385 (EXHIBIT C). Explains the tribe's services. States there is agreement on the bill.
TAPE 14, A		
009	Sen. George	Asks about servicing non-tribal members.
015	Anthony Gagliardo	Social Services Director, Grand Ronde. Responds if the person is related to a tribal member, then they can receive services from the tribe.
023	Sen. Shields	Asks if tribal money is used to leverage federal funds.
037	Gagliardo	Responds that general funds are used only to match federal funds.
050	Michael Mason	Representing Warm Springs Tribe. Testifies in support in of SB 385. States the legislature has been welcoming to native tribes. Comments on federal funding for reservation services.
081	William LaRoque	Health General Manager, Klamath Tribes. Testifies on SB 385. Comments on the service areas of Klamath Tribes. States that many tribe members do not have the transportation resources to reach services.
110	Chair Fisher	Explains the bill language.
120	Berkobien	Asks how many tribes will be affected by the change in statute.
137	Richard Ausvido	Responds by explaining which tribes would be affected.
163	Karen Quigley	Executive Director, Commission on Indian Services. Continues describing the tribes that would be affected.
186	Ausvido	States the statute changes would allow for all of the federally recognized tribes in the state to be included.
198	Sen. Shields	Asks about mental health services in rural Oregon.
209	Kast	Explains mental health services in Lake County. States that distance affects services in rural Oregon. Comments on work being done with Klamath County.
242	Sen. Shields	Asks about having countywide service agreements.
257	Kast	State he is unsure if that could happen. States the bill does not ask for any money, so existing money will need to be used. Comments on services in Klamath Falls. Discusses rural health issues.
314	LaRoque	Comments on federal funding that is used to provide services.

354	Chair Fisher	Explains issues that are facing the Klamath Tribe. Closes the public hearing on SB 385 and opens a work session on SB 385.
<u>SB 385 WORK SESSION</u>		
357	Sen. Shields	MOTION: Moves SB 385 to the floor with a DO PASS recommendation. VOTE: 4-0 AYE: 4 - George, Messerle, Shields, Fisher EXCUSED: 1 - Carter The motion CARRIES. SEN. SHIELDS will lead discussion on the floor.
369	Chair Fisher	
373	Chair Fisher	Closes the work session on SB 385 and opens a public hearing on SB 431.
<u>SB 431 PUBLIC HEARING</u>		
378	Berkobien	Explains SB 431 and the -1 amendments (EXHIBIT D) to the committee.
TAPE 13, B		
000	Elizabeth Buys	State Board of Clinical Social Workers. Presents testimony in support of SB 431 (EXHIBIT E). Explains the benefits of the bill.
034	Josh Alpert	National Association of Social Workers. Presents testimony in support of SB 431 (EXHIBIT F).
045	Chair Fisher	Closes the public hearing on SB 431 and opens a work session on SB 431.
<u>SB 431 WORK SESSION</u>		
062	Sen. Shields	Comments on the Department of Administrative Services practices.
077	Sen. Shields	MOTION: Moves to ADOPT SB 431-1 amendments dated 01/25/01. VOTE: 3-0 AYE: 3 - Messerle, Shields, Fisher EXCUSED: 2 - Carter, George Hearing no objection, declares the motion CARRIED.
083	Chair Fisher	
107	Sen. Shields	MOTION: Moves SB 431 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED. VOTE: 4-0 AYE: 4 - George, Messerle, Shields, Fisher EXCUSED: 1 - Carter The motion CARRIES. SEN. FISHER will lead discussion on the floor.
116	Chair Fisher	
122	Chair Fisher	Closes the work session on SB 431 and opens a public hearing on SB 410.
<u>SB 410 PUBLIC HEARING</u>		
128	Berkobien	Explains SB 410 and the -1 amendments (EXHIBIT G) to the committee.
160	Carol Fleming	Board of Licensed Professional Counselors and Therapists. Presents testimony in support of SB 410 (EXHIBIT H). States the proposed changes would help the board to be more cost effective. Summarizes current law and explains the proposed changes.

280	Fleming	Explains the process of raising fees.
288	Chair Fisher	Comments on raising fees.
307	Fleming	States the board has notified all involved parties about the bill and there is wide support of it. States the fiscal impact will be minimal.
342	Sen. Messerle	Asks if providers may be reluctant to put materials in files.
357	Fleming	Responds that is a possibility, but it is uncommon.
366	Sen. Messerle	Asks about legal requirements.
368	Fleming	Responds the code of ethics is very clear on the requirements.
382	Nita Werner	Board Member. Testifies in support of SB 410.
397	Pamela Lyons-Nelson	Board Members, Oregon Mental Health Counselors Alliance. Testifies in support of SB 410. Comments on the importance of the bill.
431	Chair Fisher	Comments on the work of the Board of Counselors and Therapists.

TAPE 14, B

000	Chair Fisher	Closes the public hearing on SB 410 and opens a work session on SB 410.
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SB 410 WORK SESSION

006	Sen. Messerle	MOTION: Moves to ADOPT SB 410-1 amendments dated 01/25/01.
		VOTE: 3-0
		AYE: 3 – Messerle, Shields, Fisher
		EXCUSED: 2 – Carter, George
	Chair Fisher	Hearing no objection, declares the motion CARRIED.
014	Sen. Messerle	MOTION: Moves SB 410 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.
		VOTE: 4-0
		AYE: 4 – George, Messerle, Shields, Fisher
		EXCUSED: 1 – Carter
020	Chair Fisher	The motion CARRIES.
		SEN. MESSERLE will lead discussion on the floor.
028	Chair fisher	Closes the work session on SB 410 and opens a public hearing on SB 409.

SB 409 PUBLIC HEARING

031	Berkobien	Explains SB 409 to the committee.
048	Fleming	Presents testimony in support of SB 409 (EXHIBIT I). Gives a background of SB 409. States that by requiring intern registration, it would further develop the standards of practice. States that a lot of other states have methods to monitor interns in licensing programs. Relates that the bill has widespread support.
105	Chair Fisher	Comments on licensure.
128	Sen. Messerle	Asks about the lack of statute requiring licensure.
135	Fleming	States that it is possible to practice without licensure.
143	Lyons-Nelson	Testifies in support of SB 409. Explains her work supervising interns. Comments on practicing without licensure. States there is a strong incentive for people to be licensed practitioners.
177	Chair Fisher	Comments on the importance of being licensed.
184	Sen. Shields	Discusses pastoral counseling.
203	Werner	States support of SB 409.

215	Chair Fisher	Closes the public hearing on SB 409 and opens a work session on SB 409.
<u>SB 409 WORK SESSION</u>		
218	Sen. George	MOTION: Moves SB 409 to the floor with a DO PASS recommendation.
		VOTE: 4-0
		AYE: 4 – George, Messerle, Shields, Fisher
		EXCUSED: 1 – Carter
228	Chair Fisher	The motion CARRIES.
		GEORGE will lead discussion on the floor.
243	Chair Fisher	Closes the work session and adjourns the meeting at 2:50 p.m.

Submitted By,

Reviewed By,

Andrew Morris,
Committee Assistant

Rick Berkobien,
Administrator

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EXHIBIT SUMMARY

- A – SB 288, Written testimony, Charles Simpson, 3 pp.**
- B - SB 385, Written testimony, Barry Kast, 1 p.**
- C – SB 385, Written testimony, Justin Martin, 3 pp.**
- D – SB 431, -1 Amendments, Staff, 1 p.**
- E – SB 431, Written testimony, Elizabeth Buys, 1 p.**
- F – SB 431, Written testimony, Josh Alpert, 1 p.**
- G – SB 410, -1 Amendments, Staff, 1 p.**
- H – SB 410, Written testimony, Carol Fleming, 4 pp.**
- I – SB 409, Written testimony, Carol Fleming, 1 p.**