

# SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

February 14, 2001  
1:00 PM

Hearing Room B  
Tapes 28 - 29

**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**

**MEASURES HEARD:**           **HB 2227 Public Hearing**  
                                  **HB 2233 Public Hearing and Work Session**  
                                  **SB 413 Public Hearing**

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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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 28, A</b>		
004	Chair Fisher	Calls meeting to order at 1:15 p.m. and opens a public hearing on HB 2227.
<b><u>HB 2227 PUBLIC HEARING</u></b>		
006	Rick Berkobien	Explains HB 2227 to the committee.
038	JoAnn Bones	Board of Dentistry. Presents testimony in support of HB 2227 ( <b>EXHIBIT A</b> ). States that a bill passed during the 1999 Session relating to dentistry accidentally left hygienists out.
051	Paul Cosgrove	Oregon Dental Hygienist Association. Testifies in support of HB 2227. Asks the committee to support HB 2227.
075	Chair Fisher	States that HB 2227 and HB 2469 should be worked at the same time because of their similarities. Closes the public hearing on HB 2227 and opens a public hearing on HB 2233.
<b><u>HB 2233 PUBLIC HEARING</u></b>		
082	Berkobien	Explains HB 2233 to the committee.
100	Bones	Testifies in support of HB 2233 ( <b>EXHIBIT B</b> ). States the bill is a fix from legislation that was passed in the 1991 Session.
123	Cosgrove	Testifies in support of HB 2233.
128	Chair fisher	Closes the public hearing on HB 2233 and opens a work session on HB 2233.
<b><u>HB 2233 WORK SESSION</u></b>		
129	Sen. Carter	<b>MOTION: Moves HB 2233 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 5-0</b>
		<b>AYE: 5 - Carter, George, Messerle, Shields, Fisher</b>
153	Chair Fisher	<b>The motion CARRIES.</b>

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

156 Chair Fisher Closes the work session on HB 2233 and opens a public hearing on SB 413.

**SB 413 PUBLIC HEARING**

160 Berkobien Explains SB 413 to the committee.  
193 Scott Gallant Oregon Medical Association (OMA). Presents testimony on SB 413 (**EXHIBIT C**). Comments on the OMA's perception of SB 413. Comments on proposed amendments to SB 413.  
314 Dr. Linda Meloche Board of Naturopathic Examiners, Naturopathic Physician. Testifies in support of SB 413 (**EXHIBIT D**). Comments on current statute. Describes licensure requirements. Discusses the word usage of test versus procedure.  
367 Chair Fisher Comments on procedure versus test.  
382 Sen. George Comments on language.  
390 Meloche Discusses diagnoses.  
399 Chair Fisher Relates a possible scenario. States that ability to order tests and procedures should be equal in urban and rural areas.

**TAPE 29, A**

000 Meloche Comments on medical practices in the Portland area.  
015 Gallant States the legislation would not obligate a hospital to perform examinations.  
028 Sen. Carter Asks if the wording "testing procedures" should be used.  
033 Gallant Responds that would not clarify the issue. Comments on current practices of naturopaths. States the legislation is an oxymoron.  
056 Chair Fisher Asks about the obligation of laboratories.  
060 Gallant Responds the lab is only obligated to get the information to the doctor. Comments on hospital privileges.  
080 Sen. George Gives his interpretation of the language in the bill.  
088 Chair Fisher Comments on issues in rural areas.  
094 Gallant Relates a possible scenario. States the bill does not provide parameters.  
113 Chair Fisher States that naturopathic doctors are not putting patients in danger. Comments on healthcare in urban and rural areas. Reiterates the need for equality in urban and rural areas.  
141 Gallant States the language in the bill would not help the rural situation.  
146 Sen. Shields Asks what parameters a medical doctor would have in ordering diagnostic procedures. Relates a scenario. States that parameters are included in education.  
166 Gallant Comments on the educational differences between medical doctors and naturopaths. Comments on public interests. Gives personal philosophy.  
207 Chair Fisher Responds by describing the legislature's role in deciding scopes of practice.  
221 Sen. George Comments on current statute requirements. Reviews proposed amendments.  
248 Meloche Discusses reciprocity. Comments on educational requirements for naturopathic physicians. Discusses referrals.  
285 Chair Fisher Comments on referrals.  
306 Meloche Relates a possible scenario.  
314 Chair Fisher Discusses the referral process.  
350 Meloche States the bill clarifies current law.  
356 Sen. Shields States the bill establishes what is allowed and not allowed.  
370 Meloche States agreement with Sen. Shields.  
383 Sen. Carter Asks if the bill expands the scope of practice.

389	Meloche	Responds affirmatively.
400	Sen. Carter	Asks about the Board of Naturopathic Examiners.
408	Meloche	Responds it is similar to the Board of Medical Examiners.
420	Chair Fisher	Discusses the work that needs to be done on SB 413.
<b>TAPE 28, B</b>		
010	Sen. George	Asks about page three of the bill.
020	Meloche	Responds by explaining the discipline process.
027	Sen. Carter	Refers to page two line nine.
031	Meloche	States the proposed changed was to allow people to come from out of state and be licensed in Oregon. Comments on reciprocity.
060	Chair Fisher	Recommends referring to other licensing statutes for reciprocity issues.
073	Sen. Shields	Comments on the importance of qualification requirements.
080	Meloche	State the bill would not require the board to give licenses, but give the opportunity.
090	Chair Fisher	Closes the public hearing on SB 413 and adjourns the meeting at 2:20 p.m.

Submitted By,

Reviewed By,

Andrew Morris,  
Committee Assistant

Rick Berkobien,  
Administrator

**EXHIBIT SUMMARY**

- A – HB 2227, Written testimony, JoAnn Bones, 2pp.**
- B – HB 2233, Written testimony, JoAnn Bones, 1 p.**
- C – SB 413, Written testimony, Scott Gallant, 3 pp.**
- D – SB 413, Chapter 685 ORS and letters, Dr. Linda Meloche, 20 pp.**