

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

February 26, 2001
1:00 PM

Hearing Room B
Tapes 37 - 39

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: **HJR 24 Public Hearing and Work Session**
 SB 45 Public Hearing
 SB 539 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 37, A		
004	Chair Fisher	Calls meeting to order at 1:10 p.m. and opens a public hearing on HJR 24.
<u>HJR 24 PUBLIC HEARING</u>		
006	Rick Berkobien	Administrator. Explains HJR to the committee.
016	Rep. Steve March	HD 15. Reads testimony in support of HJR 24 (EXHIBIT A). Explains bone marrow donations.
044	Chair Fisher	Relates personal experience.
063	Chair Fisher	Closes the public hearing on HJR 24 and opens a work session on HJR 24.
<u>HJR 24 WORK SESSION</u>		
065	Sen. Carter	Motions adoption do pass
065	Sen. Carter	MOTION: Moves HJR 24 be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 5-0
072	Chair Fisher	AYE: 5 - Carter, George, Messerle, Shields, Fisher The motion CARRIES. SEN. FISHER will lead discussion on the floor.
078	Chair Fisher	Closes the work session on HJR 24 and opens a public hearing on SB 539.
<u>SB 539 PUBLIC HEARING</u>		
080	Berkobien	Explains SB 539 to the committee.
107	Dr. Jay Wylam	Dentist, Oregon Dental Association (ODA). Testifies in support of SB 539 (EXHIBIT B). Comments on the need for SB 539. Explains payment of services.
160	Jane Myers	Oregon Dental Association. Testifies in support of SB 539. Comments on the claims process.
167	Suzanne Hattabaugh	Dental Employee. Testifies in support of SB 539. Explains the claims process. Comments on problems with the current system.

189	Chair Fisher	Asks if payment problems are common.
198	Hattabaugh	Responds it is not too common. States a persistent problem is the insurance company sends money directly to subscribers after making one payment to the dentist.
215	Chair Fisher	Asks which insurance companies send payment directly to the subscribers.
220	Hattabaugh	Responds by explaining insurance companies that have problems.
228	Myers	Provides further comments on the payment process.
247	Wylam	States that most insurance companies are easy to work with, and only some companies act in bad faith.
262	Chair Fisher	Asks if the Employee's Trust insurance company is a federally subsidized company through Arissa.
270	Hattabaugh	Responds she is unsure.
285	Myers	Comments on insurance payments. Explains different dental plans. Comments on the language of the bill.
330	Sen. Carter	Asks why the bill is needed.
347	Hattabaugh	Responds by explaining the billing process and problems with insurance companies.
357	Sen. Carter	States the need for the money to go directly to the dentist.
367	Myers	Explains the intent of SB 539. Relates a possible scenario.
388	Sen. Carter	States a need for legislation that directs payments to go directly to the dentist.
400	Myers	Explains the language of SB 539.
419	Sen. Carter	Comments on payment of dental services.
430	Chair Fisher	Provides personal observation of the current situation.
TAPE 38, A		
006	Myers	Explains development of dental plans.
020	John Powell	Regence Blue Cross/Blue Shield. Testifies in opposition to SB 539. Gives reasons the bill should not pass. Explains how Blue Cross/Blue Shield handles claims.
054	Sen. Carter	Asks how the problem should be dealt with.
061	Powell	Responds he is unsure. Comments on dental coverage. States the bill could not regulate self-funded insurance companies.
083	Chair Fisher	Asks if the process could be clarified by dental staff.
090	Powell	Responds the staff could request payment options from the insurance companies. States payment problems come from specific companies.
116	Peggy Anet	Health Insurance Association of America (HIAA). Presents testimony in opposition to SB 539 (EXHIBIT C). Comments on unintended consequences the bill would have. Comments on enrollee status.
191	Bruce Bishop	Kaiser Health Plans Northwest. Testifies in opposition to SB 539. States the bill is too broad. Explains dental plans and services offered by Kaiser. Rebuts ODA testimony.
249	Sen. Shields	Asks about how the payment process should be changed to help dentists.
261	Bishop	Responds he is unsure.
274	Sen. Carter	States there is a solution to the problem.
279	Anet	Suggests having similar procedures as people who do not have insurance coverage.
296	Rep. Cedric Hayden	HD 43. Testifies in support of SB 539.
303	Chair Fisher	Asks if there are insurance companies that have more problems than others.

316	Rep. Hayden	Responds by explaining billing procedures. States the bill would be beneficial to dentists. States the problem is occasional.
357	Sen. Messerle	Asks about the percentage of time the problems occur.
368	Rep. Hayden	Responds he is unsure, but will find out the information.
442	Sen. Fisher	Closes the public hearing on SB 539 and opens a public hearing on SB 45.

SB 45 PUBLIC HEARING

TAPE 37, B

000	Berkobien	Explains SB 45 and the –1 amendments to the committee.
030	Rep. Alan Bates	HD 52. Testifies in support of SB 45. Recommends that other states laws are looked at. Comments on the relationship between optometrists and Board of Medical Examiners. States that the language of the bill should be clear and direct.
079	Rep. Dan Doyle	HD 30. Testifies in support of SB 45. States it would be cost efficient to give optometrists the ability to write prescriptions for eye related care. States that 38 states have similar laws. Relates a personal experience.
140	Scott Walters	President, Oregon Optometric Physicians Association (OOPA). Reads testimony in support of SB 45 (EXHIBIT D). Comments on the need for the bills. Points out that none of the states with similar laws have repealed the laws after passage. Explains the Board of Optometry’s role in implementation of SB 45. Comments on the competency of optometrists.
273	Chair Fisher	Asks for clarification on section one of SB 45.
281	Walters	Explains the Optometric scope of practice.
290	Chair Fisher	Asks about schedule one and two prescriptions.
300	Walters	Explains the drugs that are included in schedule one and two.
321	Dr. Leland Carr	Dean, Pacific University, College of Optometry and Optometrist. Reads testimony in support of SB 45 (EXHIBIT E). Gives reasons the bill should be passed. Comments on the development of eye care services. Describes coursework for optometry.

TAPE 38, B

000	Carr	Continues testimony.
036	Dr. Paul Shenk	Medical Doctor. Testifies in support of SB 45 (EXHIBIT F). Comments on Optometric practices. Relates a personal experience.
071	Chair Fisher	Comments on the availability of Ophthalmologists in rural areas.
100	Jody Fischer	Oregon Academy of Ophthalmology. Reviews testimony in opposition to SB 45 (EXHIBIT G). Comments on the current scope of practice for Optometrists in Oregon. Describes the current formulary. Explains schedule one and two drugs. States the bill would remove boundaries for Optometrists.
177	Sen. Carter	Asks about oversight.
187	Fischer	Responds by explaining the concerns of SB 45. Comments on course requirements of Ophthalmologists and Optometrists. Explains the importance of a formulary. States the Board of Medical Examiners (BME) should have oversight over the formulary.
298	Dr. Robert Tibolt	Ophthalmologist. Testifies in opposition to SB 45. Comments on his cooperative work with Optometrists. Comments on coursework required for Ophthalmology. Relates a personal experience. States concern over the independence of the Board of Optometry.

TAPE 39, A

000	Tibolt	Continues testimony.
021	Dr. Merritt Linn	Ophthalmologist. Testifies in opposition to SB 45. Gives concerns over SB 45. Comments on his practice of 36 years.
084	Dr. Frank Baumeister	Gastroenterologist, MD. Testifies in opposition to SB 45. States the bill could redefine the practice of medicine. States that Optometrists are not MD's. States that schools of Optometry do not prepare optometrists to act as medical doctors.
147	Chair Fisher	Comments on scope of practice issues.
172	Chair Fisher	Recesses the public hearing on SB 45 and reopens the work session on HJR 24.

HJR 24 WORK SESSION

176	Sen. Carter	Motions to allow Sen. Messerle to vote aye.
176	Sen. Carter	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. MESSERLE to BE RECORDED as voting AYE on the adoption of HJR 24.
178	Chair Fisher	Hearing no objection, declares the motion CARRIED.
190	Chair Fisher	Introduces letters in support of SB 539 (EXHIBIT H).
211	Chair Fisher	Closes the public hearing on HJR 24 and reopens the public hearing on SB 45.

SB 45 PUBLIC HEARING

215	Anet	Testifies in opposition to SB 45 (EXHIBIT I). States concerns over SB 45.
262	Sen. Carter	Asks about implementation of SB 45 and the affect on insurance companies.
273	Anet	Responds by relating possible scenarios.
281	Sen. George	Asks about specific criteria which would set boundaries.
292	Anet	Responds by explaining vision plans.
308	Sen. Carter	Asks about the increase in medical costs.
313	Anet	Responds there would be an increase in prescriptions due to the expanded scope of practice.
338	David Plunket	Executive Director, Board of Optometry. Testifies in support of SB 45. Explains the role of the board.
383	Sen. Carter	Asks about scopes of practice in other states.
389	Plunket	Responds he is unsure.
404	Chair Fisher	Closes the public hearing on SB 45 and adjourns the meeting at 3:30 p.m.

Submitted By,

Reviewed By,

Andrew Morris,
Committee Assistant

Rick Berkobien,
Administrator

EXHIBIT SUMMARY

- A – HJR 24, Written testimony, Rep. Steve March, 1 p.**
- B – SB 539, Written testimony, Dr. Jay Wylam, 3 pp.**
- C – SB 539, Written testimony, Peggy Anet, 2 pp.**
- D – SB 45, Written testimony and materials, Scott Walter, 46 pp.**

E – SB 45, Written testimony and materials, Dr. Leland Carr, oversized.
F – SB 45, Written testimony from Dr. Frank Baumeister, Dr. Paul Shenk, 10 pp.
G – SB 45, Written testimony and letters, Jody Fischer, 59 pp.
H – SB 45 and SB 539, Letters, Sen. Bill Fisher, 15
I – SB 45, Written testimony, Peggy Anet, 2 pp.