

# SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

April 25, 2001  
1:00 PM

Hearing Room B  
Tapes 100 - 102

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

**MEMBER EXCUSED:** Sen. Gary George

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

**MEASURES HEARD:** SB 784 Work Session  
SB 785 Work Session  
SB 786 Work Session  
SB 790 Work Session  
SB 730 Work Session  
HB 2516A Public Hearing and Work Session  
HB 2520A Public Hearing and Work Session  
SB 364 Public Hearing and Work Session  
SB 418 Public Hearing  
HB 2077 Public Hearing and Work Session  
HB 2490A Public Hearing and Work Session  
HB 2644A Public Hearing and Work Session  
HB 2076 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 100, A</b>		
004	Chair Fisher	Calls meeting to order at 1:15 p.m. and opens a work session on SB 786.
<b><u>SB 786 WORK SESSION</u></b>		
008	Rick Berkobien	Administrator. Explains SB 786 to the committee.
021	Sen. Shields	<b>MOTION: Moves SB 786 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 4-0</b>
		<b>AYE: 4 - Carter, Messerle, Shields, Fisher</b>
		<b>EXCUSED: 1 - George</b>
034	Chair Fisher	<b>The motion CARRIES. SEN. GORDLY will carry the bill.</b>
040	Chair Fisher	Closes the work session on SB 786 and opens a work session on SB 730
<b><u>SB 730 WORK SESSION</u></b>		
043	Berkobien	Explains SB 730 to the committee.
063	Abigail Hoffer	Midwife. Testifies in support of SB 730. Explains the -3 amendments to the committee.
079	Jim Anderson	Oregon Medical Association. Testifies on SB 730. Comments

		on the –3 amendments.
101	Sen. Shields	<b>MOTION: Moves to ADOPT SB 730-3 amendments dated 04/25/01.</b>
		<b>VOTE: 4-0</b>
		<b>AYE: 4 - Carter, Messerle, Shields, Fisher</b>
		<b>EXCUSED: 1 – George</b>
104	Chair Fisher	<b>The motion CARRIES.</b>
105	Sen. Shields	<b>MOTION: Moves SB 730 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 4-0</b>
		<b>AYE: 4 - Carter, Messerle, Shields, Fisher</b>
		<b>EXCUSED: 1 – George</b>
115	Chair Fisher	<b>The motion CARRIES.</b>
		<b>SEN. SHIELDS will lead discussion on the floor.</b>
123	Chair Fisher	Closes the work session on SB 730 and opens a public hearing on HB 2516A
<b><u>HB 2516A PUBLIC HEARING</u></b>		
125	Berkobien	Explains HB 2516A to the committee.
137	Sen. David Nelson	SD 29. Testifies in support of HB 2516A. Provides personal background. Comments on rural healthcare. Reviews the cost of the bill.
211	Sen. Carter	Relates the history of rural health issues in the legislature.
238	Ed Patterson	Oregon Association of Hospitals and Health Systems. Testifies in support of HB 2516A ( <b>EXHIBIT A</b> ). Comments on healthcare in rural facilities. Explains funding mechanisms.
333	Sen. Shields	Asks about the Medicaid Upper Limit expenditures (MUL).
348	Patterson	Responds the bill is modeled after other states programs. Explains how the funding would work.
417	Sen. Shields	Clarifies Patterson’s statements.
<b>TAPE 101, A</b>		
004	Jane Myers	Oregon Dental Association. Testifies on HB 2516A. Asks for an amendment to add dentists to the board of directors of the foundation. Comments on dental practices.
022	Chair Fisher	Asks about the language.
027	Patterson	Reviews the structure. States the bill uses the same language as the existing rural health association in dealing with rural health. Explains the at-large members.
069	Myers	Explains the dental association’s interest.
075	Patterson	Reviews the existing rural health association.
082	Chair Fisher	Asks if the board members pay a higher fee.
084	Patterson	Responds affirmatively. Comments on yearly dues. Explains the association’s bylaws.
108	Chair Fisher	Asks about the current statutory language.
115	Patterson	States the Internal Revenue Service would have to review the change.
124	Chair Fisher	Asks for the dental association’s point of view.
126	Myers	Explains the association’s viewpoint.
137	Chair Fisher	Reviews the at-large members.
152	Patterson	Explains the role of at-large members.
160	Chair Fisher	Comments on the inclusion of dentists.
174	Chair Fisher	Closes the public hearing on HB 2516A and opens a work session on HB 2516A.
<b><u>HB 2516A WORK SESSION</u></b>		
191	Sen. Shields	<b>MOTION: Moves HB 2516A to the floor with a DO PASS</b>

recommendation.

**VOTE: 4-0**

**AYE: 4 – Carter, Messerle, Shields, Fisher**

**EXCUSED: 1 – George**

**The motion CARRIES.**

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

Closes the work session on HB 2516A and opens a work session on SB 784.

205 Chair Fisher

210 Chair Fisher

**SB 784 WORK SESSION**

215 Sen. Avel Gordly

SD 10. Testifies in support of 784. Explains the intent of SB 784 and the presented amendments. Comments on the fiscal impact.

274 Sharon Hill

Legislative Aide to Sen. Gordly. Explains the –4 amendments.

305 Sen. Carter

**MOTION: Moves to ADOPT SB 784-4 amendments dated 04/25/01.**

**VOTE: 4-0**

**AYE: 4 – Carter, Messerle, Shields, Fisher**

**EXCUSED: 1 – George**

**The motion CARRIES.**

307 Chair Fisher

305 Sen. Carter

**MOTION: Moves SB 784 to WAYS AND MEANS with a DO PASS AS AMENDED recommendation.**

**VOTE: 4-0**

**AYE: 4 – Carter, Messerle, Shields, Fisher**

**EXCUSED: 1 – George**

**The motion CARRIES.**

340 Chair Fisher

341 Chair Fisher

Closes the work session on SB 784 and opens a work session on SB 785.

**SB 785 WORK SESSION**

344 Sen. Gordly

Explains the -3 Amendments to SB 785.

371 Sen. Carter

**MOTION: Moves to ADOPT SB 785-3 amendments dated 04/24/01.**

**VOTE: 4-0**

**AYE: 4 – Carter, Messerle, Shields, Fisher**

**EXCUSED: 1 – George**

**The motion CARRIES.**

373 Chair Fisher

376 Sen. Carter

**MOTION: Moves SB 785 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.**

**VOTE: 4-0**

**AYE: 4 – Carter, Messerle, Shields, Fisher**

**EXCUSED: 1 – George**

**The motion CARRIES.**

388 Chair Fisher

389 Chair Fisher

Closes the work session on SB 785 and opens and work session on SB 790.

**SB 790 WORK SESSION**

390 Sen. Gordly

Explains the –2 amendments.

**TAPE 100, B**

004 Sen. Carter

**MOTION: Moves to ADOPT SB 790-2 amendments dated 04/24/01.**

**VOTE: 4-0**

**AYE: 4 – Carter, Messerle, Shields, Fisher**

**EXCUSED: 1 – George**

**The motion CARRIES.**

006 Chair Fisher

007	Sen. Carter	<p><b>MOTION: Moves SB 790 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.</b></p> <p><b>VOTE: 4-0</b></p> <p><b>AYE: 4 – Carter, Messerle, Shields, Fisher</b></p> <p><b>EXCUSED: 1 – George</b></p> <p><b>The motion CARRIES.</b></p>
018 020	Chair Fisher Chair Fisher	<p>Closes the work session on SB 790 and opens a public hearing on HB 2520A.</p>
<b><u>HB 2520A PUBLIC HEARING</u></b>		
022	Berkobien	Explains HB 2520A to the committee.
038	Patterson	Testifies in support of HB 2520A ( <b>EXHIBIT B</b> ). Reviews the amount of paperwork required of rural hospitals.
074	Sen. Messerle	Asks about other districts that are exempt.
078	Patterson	Reviews section three of the bill.
081	Sen. Messerle	Comments on the relaxed rules and regulations the bill would allow. Asks if an annual report is still required.
092	Patterson	Responds affirmatively. Comments on local taxing laws.
101	Chair Fisher	Closes the public hearing on HB 2520A and opens a work session on HB 2520A.
<b><u>HB 2520A WORK SESSION</u></b>		
105	Sen. Carter	<p><b>MOTION: Moves HB 2520A to the floor with a DO PASS recommendation.</b></p> <p><b>VOTE: 4-0</b></p> <p><b>AYE: 4 – Carter, Messerle, Shields, Fisher</b></p> <p><b>EXCUSED: 1 – George</b></p> <p><b>The motion CARRIES.</b></p> <p><b>SEN. MESSERLE will lead discussion on the floor.</b></p>
115	Chair Fisher	Closes the work session on HB 2520A and opens a public hearing on SB 364.
117	Chair Fisher	
<b><u>SB 364 PUBLIC HEARING</u></b>		
119	Berkobien	Explains SB 364 to the committee.
136	Chair fisher	Closes the public hearing on SB 364 and opens work session on SB 364.
<b><u>SB 364 WORK SESSION</u></b>		
137	Sen. Carter	<p><b>MOTION: Moves to ADOPT SB 364-1 amendments dated 03/02/01.</b></p> <p><b>VOTE: 4-0</b></p> <p><b>AYE: 4 – Carter, Messerle, Shields, Fisher</b></p> <p><b>EXCUSED: 1 – George</b></p> <p><b>The motion CARRIES.</b></p>
149 146	Chair Fisher Sen. Carter	<p><b>MOTION: Moves SB 364 to the floor with a DO PASS AS AMENDED recommendation.</b></p> <p><b>VOTE: 4-0</b></p> <p><b>AYE: 4 – Carter, Messerle, Shields, Fisher</b></p> <p><b>EXCUSED: 1 – George</b></p> <p><b>The motion CARRIES.</b></p>
154	Chair Fisher	<p><b>SEN. FISHER will lead discussion on the floor.</b></p>
132	Sen. Messerle	<p><b>MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. CARTER to BE RECORDED as voting AYE on HB 2516A and HB 2520A.</b></p> <p><b>VOTE: 4-0</b></p>

		<b>AYE: 4 – Carter, Messerle, Shields, Fisher</b>
		<b>EXCUSED: 1 – George</b>
<b>165</b>	<b>Chair Fisher</b>	<b>The motion CARRIES.</b>
174	Chair Fisher	Closes the work session on SB 364 and opens public hearings on SB 418, HB 2077, HB 2490A, HB 2644, and HB 2076 concurrently.
<b><u>SB 418, HB 2077, HB 2490A, HB 2644, HB 2076 PUBLIC HEARING</u></b>		
190	Rep. Janet Carlson	HD 32. Testifies in opposition to SB 418 ( <b>EXHIBIT C</b> ). Explains her position on SB 418.
240	Chair Fisher	Asks for clarification.
252	Rep. Carlson	Clarifies SB 418.
265	Mickey Lansing	Oregon Commission on Children and Families (OCCF). Testifies on SB 418. Explains existing programs. States that SB 418 is not necessary if HB 2331 is passed through Ways and Means.
305	Lynn Partin	Housing and Community Services. Testifies on SB 418. States that SB 418 would be an unfunded mandate.
352	Chair Fisher	Asks for more information on SB 418.
404	Rep. Carlson	Testifies in support of HB 2077 ( <b>EXHIBIT D</b> ). Explains the background of HB 2077.
<b>TAPE 101, B</b>		
000	Rep. Carlson	Continues testimony.
050	Rep. Carlson	Testifies in support of HB 2490A ( <b>EXHIBIT E</b> ). Explains the background of HB 2490A to the committee.
107	Sen. Messerle	Comments on the spectrum of people affected by the presented issues.
142	Rep. Carlson	Testifies on HB 2644A. Gives the background of HB 2644A.
186	Sen. Carter	Asks about the role of the local OCCF.
195	Rep. Carlson	Explains the role of the local OCCF.
224	Berkobien	Explains the conflict amendments to HB 2644A.
237	Chair Fisher	Closes the public hearing and opens a work session on HB 2644A.
<b><u>HB 2644A WORK SESSION</u></b>		
<b>246</b>	<b>Sen. Carter</b>	<b>MOTION: Moves to ADOPT HB 2644A-A2 amendments dated 04/25/01.</b>
		<b>VOTE: 3-0</b>
		<b>AYE: 3 – Carter, Messerle, Fisher</b>
		<b>EXCUSED: 2 – George, Shields</b>
<b>250</b>	<b>Chair Fisher</b>	<b>The motion CARRIES.</b>
<b>258</b>	<b>Sen. Carter</b>	<b>MOTION: Moves HB 2644A to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 3-0</b>
		<b>AYE: 3 – Carter, Messerle, Fisher</b>
		<b>EXCUSED: 2 – George, Shields</b>
<b>273</b>	<b>Chair Fisher</b>	<b>The motion CARRIES.</b>
		<b>SEN. CARTER will lead discussion on the floor.</b>
278	Chair Fisher	Closes the work session on HB 2644A and opens a work session HB 2490A.
<b><u>HB 2490A WORK SESSION</u></b>		
<b>283</b>	<b>Sen. Carter</b>	<b>MOTION: Moves HB 2490A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 3-0</b>
		<b>AYE: 3 – Carter, Messerle, Fisher</b>
		<b>EXCUSED: 2 – George, Shields</b>

290 Chair Fisher

**The motion CARRIES.**

295 Chair Fisher

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

Closes the work session on HB 2490A and opens a work session on HB 2077.

**HB 2077 WORK SESSION**

302 Sen. Carter

**MOTION: Moves HB 2077 to the floor with a DO PASS recommendation.**

**VOTE: 3-0**

**AYE: 3 – Carter, Messerle, Fisher**

**EXCUSED: 2 – George, Shields**

314 Chair Fisher

**The motion CARRIES.**

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

325 Chair Fisher

Closes the work session on HB 2077 and opens a public hearing on HB 2076.

**HB 2076 PUBLIC HEARING**

330 Rep. Carlson

Testifies in support of HB 2076 (**EXHIBIT F**). Points out reasons for and against HB 2076.

403 Chair Fisher

Clarifies the intention of HB 2076.

414 Sen. Carter

Comments on equal representation.

425 Rep. Carlson

Comments on the Senate President's concerns.

**TAPE 102, A**

000 Rep. Carlson

Continues testimony.

012 Chair Fisher

Provides personal opinion.

015 Sen. Carter

Provides personal opinion.

025 Chair Fisher

Closes the public hearing on HB 2076 and adjourns the meeting at 3:10 p.m.

Submitted By,

Reviewed By,

Andrew Morris,  
Committee Assistant

Rick Berkobien,  
Administrator

**EXHIBIT SUMMARY**

**A – HB 2516A, Written testimony, Ed Patterson, 2 pp.**

**B – HB 2520A, Statistical data, Ed Patterson, 1 p.**

**C – SB 418, Information, Rep. Janet Carlson, 9 pp.**

**D – HB 2077, Report, Rep. Janet Carlson, 24 pp.**

**E – HB 2490A, Newsletter and information, Rep. Janet Carlson, 9 pp.**

**F – HB 2076, OCCF member roster, Rep. Janet Carlson, 2 pp.**