

**HOUSE COMMITTEE ON HUMAN RESOURCES**

**April 20, 1999 Hearing Room E**

**1:00 PM Tapes 63 - 65**

**MEMBERS PRESENT: Rep. Jeff Kruse, Chair**

**Rep. Kitty Piercy, Vice-Chair**

**Rep. Betsy Close-Vice-Chair**

**Rep. Tim Knopp**

**Rep. Jerry Krummel**

**Rep. Mike Lehman**

**Rep. Bill Morrisette**

**Rep. Jackie Taylor**

**Rep. Jackie Winters**

**STAFF PRESENT: Janet L. Carlson, Administrator**

**Diane M. Lewis, Administrative Support**

**MEASURE/ISSUES HEARD: HB 3130 Public Hearing and Work Session**

**HB 3204 Public Hearing and Work Session**

**HB 3194 Public Hearing and Work Session**

**HB 2144 Public Hearing / HB 2146 Public Hearing**

**HB 2147 Public Hearing / HB 2148 Public Hearing**

**HB 2240 Public Hearing / HB 2241 Public Hearing**

**HB 2267 Public Hearing / HB 2366 Public Hearing**

**HB 2510 Public Hearing / HB 2530 Public Hearing**

**HB 2624 Public Hearing / HB 2690 Public Hearing**

**HB 2718 Public Hearing / HB 2899 Public Hearing**

**HB 3031 Public Hearing / HB 3038 Public Hearing**

**HB 3039 Public Hearing / HB 3093 Public Hearing**

**HB 3099 Public Hearing / HB 3160 Public Hearing**

**HB 3206 Public Hearing / HB 3246 Public Hearing**

**HB 3264 Public Hearing / HB 3408 Public Hearing**

**HB 3473 Public Hearing / HB 3512 Public Hearing**

**HB 3538 Public Hearing / HB 3569 Public Hearing**

**HB 3570 Public Hearing / HB 3550 Public Hearing**

**HB 3603 Public Hearing / HJR 53 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.

TAPE/#	Speaker	Comments
<b>TAPE 63, A</b>		
006	Chair Kruse	Calls the meeting to order at 1:08 PM. Explains that the following public hearings are for the purpose of meeting house deadlines. Opens a public hearing on HB 2144.
<b><u>HB 2144 PUBLIC HEARING</u></b>		
023	Chair Kruse	Closes the public hearing on HB 2144 and opens a public hearing on HB 2146.
<b><u>HB 2146 PUBLIC HEARING</u></b>		
025	Chair Kruse	Closes the public hearing on HB 2146 and opens a public hearing on HB 2147.
<b><u>HB 2147 PUBLIC HEARING</u></b>		
027	Chair Kruse	Closes the public hearing on HB 2147 and opens a public hearing on HB 2148.

**HB 2148 PUBLIC HEARING**

028	Chair Kruse	Closes the public hearing on HB 2148 and opens a public hearing on HB 2240.
-----	-------------	-----------------------------------------------------------------------------

**HB 2240 PUBLIC HEARING**

029	Chair Kruse	Closes the public hearing on HB 2240 and opens a public hearing on HB 2241.
-----	-------------	-----------------------------------------------------------------------------

**HB 2241 PUBLIC HEARING**

030	Chair Kruse	Closes the public hearing on HB 2241 and opens a public hearing on HB 2267.
-----	-------------	-----------------------------------------------------------------------------

**HB 2267 PUBLIC HEARING**

032	Chair Kruse	Closes the public hearing on HB 2267 and opens a public hearing on HB 2366.
-----	-------------	-----------------------------------------------------------------------------

**HB 2366 PUBLIC HEARING**

034	Chair Kruse	Closes the public hearing on HB 2366 and opens a public hearing on HB 2510.
-----	-------------	-----------------------------------------------------------------------------

**HB 2510 PUBLIC HEARING**

036	Chair Kruse	Closes the public hearing on HB 2510 and opens a public hearing on HB 2530.
-----	-------------	-----------------------------------------------------------------------------

**HB 2530 PUBLIC HEARING**

037	Chair Kruse	Closes the public hearing on HB 2530 and opens a public hearing on HB 2624.
-----	-------------	-----------------------------------------------------------------------------

**HB 2624 PUBLIC HEARING**

038	Chair Kruse	Closes the public hearing on HB 2624 and opens a public hearing on HB 2690.
-----	-------------	-----------------------------------------------------------------------------

**HB 2690 PUBLIC HEARING**

040	Chair Kruse	Closes the public hearing on HB 2690 and opens a public hearing on HB 2718.
-----	-------------	-----------------------------------------------------------------------------

**HB 2718 PUBLIC HEARING**

041 Chair Kruse Closes the public hearing on HB 2718 and opens a public hearing on HB 2899.

**HB 2899 PUBLIC HEARING**

042 Chair Kruse Closes the public hearing on HB 2899 and opens a public hearing on HB 3031.

**HB 3031 PUBLIC HEARING**

044 Chair Kruse Closes the public hearing on HB 3031 and opens a public hearing on HB 3038.

**HB 3038 PUBLIC HEARING**

046 Chair Kruse Closes the public hearing on HB 3038 and opens a public hearing on HB 3039.

**HB 3039 PUBLIC HEARING**

047 Chair Kruse Closes the public hearing on HB 3039 and opens a public hearing on HB 3093.

**HB 3093 PUBLIC HEARING**

049 Chair Kruse Closes the public hearing on HB 3093 and opens a public hearing on HB 3099.

**HB 3099 PUBLIC HEARING**

050 Chair Kruse Closes the public hearing on HB 3099 and opens a public hearing on HB 3160.

**HB 3160 PUBLIC HEARING**

051 Chair Kruse Closes the public hearing on HB 3160 and opens a public hearing on HB 3206.

**HB 3206 PUBLIC HEARING**

053 Chair Kruse Closes the public hearing on HB 3206 and opens a public hearing on HB 3246.

**HB 3246 PUBLIC HEARING**

054 Chair Kruse Closes the public hearing on HB 3246 and opens a public hearing on HB 3264.

**HB 3264 PUBLIC HEARING**

Chair Kruse Closes the public hearing on HB 3264 and opens a public hearing on HB 3408.

**HB 3408 PUBLIC HEARING**

057 Chair Kruse Closes the public hearing on HB 3408 and opens a public hearing on HB 3473.

**HB 3473 PUBLIC HEARING**

058 Chair Kruse Closes the public hearing on HB 3473 and opens a public hearing on HB 3512.

**HB 3512 PUBLIC HEARING**

059 Chair Kruse Closes the public hearing on HB 3512 and opens a public hearing on HB 3538.

**HB 3538 PUBLIC HEARING**

061 Chair Kruse Closes the public hearing on HB 3538 and opens a public hearing on HB 3569.

**HB 3569 PUBLIC HEARING**

062 Chair Kruse Closes the public hearing on HB 3569 and opens a public hearing on HB 3570.

**HB 3570 PUBLIC HEARING**

063 Chair Kruse Closes the public hearing on HB 3570 and opens a public hearing on HJR 53.

**HJR 53 PUBLIC HEARING**

064 Chair Kruse Closes the public hearing on HJR 53 and opens a public hearing on HB 3550.

**HB 3550 PUBLIC HEARING**

066 Chair Kruse Closes the public hearing on HB 3550 and opens a public hearing on HB 3603.

**HB 3603 PUBLIC HEARING**

067 Chair Kruse Closes the public hearing on HB 3603 and opens a public hearing on HB 3130.

**HB 3130 PUBLIC HEARING**

- 078 Janet Carlson Committee Administrator, summarizes the bill.
- 085 Joan Ploem Miller O. D. Optometric Physician, President, Oregon Board of Optometry (OBO) submits and presents written testimony in support of HB 3130 (**EXHIBIT A**). Explains that HB 3130 will correct the possibility that school nurses and Driver and Motor Vehicle Services (DMV) employees may be held liable for improper practice.
- 132 Rep. Taylor Asks if proponents of HB 3130 are asking for vision screening.
- 134 Miller Responds that vision screening is one piece of optometric care that would be covered under HB 3130. Explains that there are additional areas of optometric care, i.e. an infection in the eyelid requiring treatment. States that optometry is more than just eyeglasses.
- 157 Wayne Schumacher Executive Director, Oregon Optometric Association, submits and presents written testimony in support of HB 3130 (**EXHIBIT B**).
- 194 Rep. Morrisette Asks for a definition of "preliminary screening" as it is used in the bill.
- 200 Schumacher Responds that a "glaucoma eye-puff" test is a non invasive screening, that can be performed by a knowledgeable person, as is considered a preliminary screening for glaucoma. States that Dr. Miller can answer the question more completely.
- 213 Miller Maintains that the OBO does not allow non-licensed practitioners to practice optometry. States that "the bill allows instruments that can be operated by a technician, to be operated by a technician." States that the OBO administrative rule defines what members can and cannot do.
- 240 Chair Kruse Closes the public hearing on HB 3130 and opens a work session on HB 3130.

**HB 3130 WORK SESSION**

- 245 Rep. Piercy **MOTION: Moves HB 3130 to the floor with a DO PASS recommendation.**

**VOTE: 9-0**

**AYE: In a roll call vote, all members present vote Aye.**

- 250 Chair Kruse **The motion CARRIES.**

**REP. LEHMAN will lead discussion on the floor.**

- 255 Chair Kruse Closes the work session on HB 3130.
- 260 Chair Kruse Explains that HB 3133 will not be heard during the 1999 legislative session. States that this decision was made with the support of Rep. Piercy, Committee Vice-Chair.
- 268 Chair Kruse Opens a public hearing on HB 3194.

**HB 3194 PUBLIC HEARING**

- 270 Rep. Kitty Piercy House District 39, submits and presents written testimony in support of HB 3194 (**EXHIBIT C**) and the ñ1 amendments dated 4/16/99 (**EXHIBIT D**).
- 319 Chair Kruse Thanks Rep. Piercy for the effort she has put into this important piece of legislation and states that his office has received a massive amount of electronic mail, from all over the country, urging his support of the bill.
- 325 Rep. Morrisette Asks about the existence of a national network for adoptees.
- 330 Rep. Piercy Comments that there are professionals waiting to testify who can discuss networks far more comprehensively than she can.
- 331 Rep. Close Asks if Ballot Measure 58 will become mandatory once current litigation regarding the measureís implementation is resolved.
- 340 Rep. Piercy Responds that HB 3194 cannot be implemented until Ballot Measure 58 is resolved. Explains that provisions of HB 3194 are voluntary.
- 346 Rep. Close Asks if Ballot Measure 58 was voluntary.
- 347 Rep. Piercy Responds affirmatively.
- 343 Rep. Winters Asks why the Contact Preference Form is to be prescribed by Services to Children and Families (SCF) and not the Health Division, which is the state office responsible for statistical data.
- 362 Rep. Piercy Responds that the form is to be prescribed by SCF because the state registrar wanted it that way. Explains that individuals will make their requests for information to the state registrar.
- 387 Phyllis Naish Milwaukie, OR, submits and presents written testimony in support of HB 3194 (**EXHIBIT E**). States that she gave up a daughter for adoption and has a sibling in the world whom she does not know. Explains that because her mother is dead, she has no "gateway" to her sibling. Discusses components of the bill as summarized in EXHIBIT E.

**TAPE 64, A**

- 048 Rep. Close Asks if Naish wants the daughter she gave up for adoption to know her.
- 050 Naish Responds that she wants her daughter to have the "choice" of making contact. States that she would be willing to know her daughter if that was what her daughter wanted.
- 053 Rep. Close Comments that the "choice" of knowing a birth parent goes away if the birth parent does not want contact.
- 055 Naish Responds that HB 3194 provides adoptees with the opportunity of knowing if their birth parent did or did not wish to be contacted. States that there could be very good reasons why a birth parent would not want to make contact with a child given up for adoption.
- 059 Rep. Close Asks if the birth parent's wishes still prevail in blocking information from an adoptee.
- 064 Naish Responds that current law blocks all information from the adoptee. Explains that HB 3194 provides a way for birth parents to write down family history, family health issues, and other information that would be useful to an adoptee. Reminds the committee that this is a voluntary option.
- 069 Rep. Close Asks if the difference between HB 3194 and Ballot Measure 58 is that Measure 58 makes the provision of birth parent information mandatory.
- 071 Naish Responds that it is her understanding that Measure 58 only allows adoptees access to their original birth certificate, listing the names of their birth parents.
- 078 Rep. Close Asks if HB 3194 allows birth parents to block information from a child they gave up for adoption.
- 080 Helen Hunt Chief Petitioner of Ballot Measure 58, submits and presents written testimony in support of HB 3194 (**EXHIBIT F**). Maintains that HB 3194 does not block an adoptee from information. States that the bill's provisions are voluntary. Explains that this legislation is supplemental to Ballot Measure 58. Explains that Ballot Measure 58 is left intact with the implementation of HB 3194. Responds to Rep. Morrisette's question regarding an "adoptee network" by explaining that the Internet has been a "boon" for adoptees who want to access information and support.
- 138 Hunt Refers to EXHIBIT F, paragraph 6, and recommends that a citizen committee be formed to offer input to SCF regarding the drafting of the Contact Preference Form. States that she would be honored to lend her expertise to the form's development.
- 149 Rep. Winters Asks why SCF was designated as the entity to prescribe the form.



- 152 Hunt Responds that SCF is in charge of adoption services for the state as well as the entity that runs the adoption registry, which will be where the form is housed. Explains that the state registrar, Ed Johnson, requested that SCF prescribe the form.
- 160 Hunt Takes this time to thank Rep. Piercy's assistant, Morgan Allen, for all his hard work on HB 3194.
- 167 Ed Johnson State Registrar, Center for Health Statistics, explains that SCF is appointed by the bill amendments to prescribe a "family medical history certificate." States that the bill does not stipulate which entity creates the Contact Preference Form. Expresses his willingness to assist in creating the form.
- 180 Kathy Ledesma Manager, Adoption and Permanency Program Operations Unit, SCF, concurs with the testimony of Ed Johnson. States that SCF has the medical form and has conferred with private agencies as to the form's completion. Explains that SCF is not the entity directed to create the Contact Preference Form.
- 188 Hunt Comments that she thought original language in the bill stipulated that SCF create the form. Asks which entity will create it.
- 189 Johnson Responds that Oregon statute dictates that the Center for Health Statistics would be the entity creating the contact form.
- 198 Chair Kruse Refers to all the electronic mail he has received and asks Hunt to get into the Internet and inform the proper parties that HB 3194 passed out of the Human Resources Committee.
- 202 Hunt Responds affirmatively. States that Oregon is in the process of making national precedent.
- 213 Curtis Endicott Oregon Adoptee, testifies in support of HB 3194. States that he has medical problems and would like to have access to medical records of his birth parents, which would be helpful to him and his family.
- 239 Mary Inselman Adoptee, testifies in support of HB 3194. Explains that she wants to find out who her birth parents are. Explains that she has a granddaughter on dialysis and would like to have her birth family's medical history as it might lend some help to her granddaughter's situation.
- 254 Dolores Teller Oregon Adoptive Rights Association, American Adoption Congress, submits and presents written testimony in support of HB 3194 (**EXHIBIT G**). States that she has extensive expertise in the issue area of adoption rights and would be honored to be a resource for the drafting of the Contact Preference Form.
- 285 Bonnie McCallister Adoptee, testifies in support of HB 3194. Explains that her husband is an adoptee and her step-grandson is an adoptee. Respectfully requests that the committee support the bill's passage.

- 303 Ledesma Submits written testimony in regard to HB 3194 (**EXHIBIT H**).
- 317 Lauren Greenbaum Lead Adoption Counselor, Boys and Girls Aid Society, testifies in support of HB 3194 and the ñ1 amendments. Explains that the societyís original opposition to Measure 58 stemmed from a concern for birth parents.
- 339 Cathy Stalker Co-President, Coalition of Oregon Adoption Agencies, Adoptive Parent, testifies in support of HB 3491. Discusses the coalition that was formed after the passage of Ballot Measure 58. Explains that key issues discussed by the coalition addressed concerns of birth parents. States that HB 3194 is the product of those discussions. Concurs that people who need medical history information are benefited by the bill.
- 374 Rep. Piercy Thanks the presenters for their work in creating HB 3194.
- 385 Chair Kruse Closes the public hearing on HB 3194 and opens a work session on HB 3194.

**HB 3194 WORK SESSION**

- 390 Rep. Piercy **MOTION: Moves to ADOPT HB 3194-1 amendments dated 04/16/99.**
- VOTE: 7-0**
- EXCUSED: 2 - Morrisette, Lehman**
- 393 Chair Kruse **Hearing no objection, declares the motion CARRIED.**
- 397 Rep. Piercy **MOTION: Moves HB 3194 to the floor with a DO PASS AS AMENDED recommendation.**
- 403 Rep. Taylor Urges proponents of HB 3194 to put the Contact Preference Form on the Internet. Relates her own experience of looking for her motherís family and finding them the year after her mother died.
- VOTE: 7-0**
- AYE: In a roll call vote, all members present vote Aye.**
- EXCUSED: 2 - Morrisette, Lehman**
- 443 Chair Kruse **The motion CARRIES.**

**REP. PIERCY will lead discussion on the floor.**

**NOTE: See TAPE 65, A, #225. Rep. Morrisette and Rep. Lehman both vote AYE under suspension of rules.**

448 Chair Kruse Asks Rep. Piercy to work with Ed Johnson on the formation of the committee which will provide input regarding the drafting of the Contact Preference Form.

**TAPE 63, B**

015 Chair Kruse Closes the work session on HB 3194 and puts the committee at ease at 2:08 P.M. for the purpose of waiting for Rep. Leslie Lewis, who will testify on HB 3204.

019 Chair Kruse Calls the meeting to order at 2:18 P.M. Opens a public hearing on HB 3204.

**HB 3204 PUBLIC HEARING**

027 Rep. Leslie Lewis House District 29, testifies in support of HB 3204. Explains that employees and friends have been instigators for her to carry this legislation. States that an employee of hers, who smokes, has just learned that she has breast cancer. States that this employee does not have cessation coverage with her insurance. Explains that many insurance plans in Oregon do not provide cessation coverage. Suggests that the state has a legitimate role in getting tobacco users into cessation programs. Believes that Ways and Means will know how to properly fund the bill.

060 Chair Kruse Asks if Rep. Lewis would be opposed to conceptual amendments deleting section 1(3) of the bill. Explains that this amendment would allow Ways and Means to look at the bill without a bias as to where the funding should come from.

066 Rep. Lewis Responds that this is agreeable.

073 Rep. Krummel Asks what part HB 3204 will play in Oregon's overall tobacco prevention program.

079 Rep. Lewis States that HB 3204 would be one of many very important options the state offers to assist individuals in getting off tobacco.

087 Rep. Piercy Asks if the reimbursement should have anything to do with people's income and ability to pay for their own treatment.

092 Rep. Lewis Replies that the issue of financial ability has not been discussed and could be addressed with amendments.

095 Rep. Close Comments that an individual may be reimbursed for three cessation programs. Asks if this means an individual can continue to relapse and still be reimbursed.

105	Larry Bohnsack	Assistant in drafting HB 3204, testifies in support of HB 3204 and explains that the bill recognizes that smokers have a high relapse rate.
114	Rep. Close	Comments that this allowance may keep smokers from taking their first attempt at quitting very seriously. Asks if this provision is opening the possibility for abuse of this benefit.
120	Bohnsack	Replies that the act of quitting smoking is very difficult and uncomfortable. States that he has a hard time believing that people would want to put themselves through it more than twice for a few hundred dollars reimbursement.
130	Rep. Lewis	Believes that the extended cost to society from issues related to smoking is far greater than the maximum reimbursement amount of \$600. Explains that because this addiction is so strong, individuals deserve more than one attempt at cessation.
138	Rep. Winters	Comments that she does not believe that 6 months is enough time to be considered tobacco free. States that she does not want this program to replace education. Asks how, and to whom, the reimbursement is paid.
148	Rep. Lewis	Comments on a study which indicates that smokers do not believe all the health risks related to smoking. Believes that prevention programs are valuable to Oregon youth, but contends that "hard core" smokers need the incentive HB 3204 has to offer.
176	Rep. Kruse	States that he believes the health risks of smoking, he just does not care at this time in his life. Comments that the addictions that he has faced and quit in his lifetime feel like a "walk in the park" compared to what's ahead for him when he is ready to quit smoking. Concurrs that the state's tobacco prevention programs are important and must be supported. States that it would not be too many weeks of smoking that would pay for a \$250 cessation program. Understands that having the cash in hand to afford a program is an issue for some smokers. Reminds the committee that smoking is an expensive habit.
203	Rep. Taylor	States her concerns that the bill does not address income issues and whether or not insurance companies cover cessation. Asks if the Oregon Health Plan (OHP) covers cessation programs.
210	Bohnsack	<p>Responds that there are a couple of issues that have not been addressed:</p> <ul style="list-style-type: none"> <li>• Co-payments to insurance companies to be addressed in an amendment.</li> <li>• Creating a reimbursement program that pays over a six-month period reimbursements are paid directly to health care and program providers.</li> </ul> <p>States that he is not sure if smoking cessation is on the OHP priority list.</p>
230	David Fleming M.D.	State Epidemiologist, Oregon Health Division, explains that smoking cessation is covered under the OHP.
236	Bohnsack	Comments that he was a three pack a day smoker. States that seven weeks ago he

called a program he was familiar with and asked for help. States that he has been smoke free for seven weeks. Explains that Oregon is making more money from smokers, through tax revenues, than the tobacco companies. Believes that many programs talk down to smokers and that smokers resent this. States that this program is designed to turn the free enterprise system loose. Believes that health organizations can meet all the requirements of a good cessation program, get people off cigarettes, and still turn a profit. States that this is the most important piece of legislation that the committee will consider this session.

- 316 Rep. Winters Asks why programs should reimburse people who can afford to pay for cessation treatment.
- 328 Bohnsack Replies that the intention of HB 3204 is to get people off cigarettes. States that he is not interested in a sliding fee scale. Explains that when people buy cigarettes they are not charged according to a sliding fee scale. Concurrs that the bill needs modifications regarding co-payments and reimbursements.
- 350 Rep. Taylor Comments that this kind of legislation is good for Oregon. Asks if it would be better to mandate that insurance companies cover cessation programs.
- 358 Rep. Lewis Responds that OHP does not cover all individuals who want cessation. States that people who do not have insurance, or are in the waiting period for receiving insurance, could benefit from a reimbursement program like HB 3204. Believes that insurance companies will start covering cessation programs as the cost benefits become more dramatic.
- 390 Rep. Taylor Comments that she is concerned that this program might create disincentives for programs that are free. States that she quit smoking through the Seventh Day Adventist program. Asks if there is a way that an individual could be reimbursed for going through a free program.

**TAPE 64, B**

- 030 Bohnsack Responds that reimbursements go to the health care program providers. Explains that this bill will not replace existing programs. Reminds the committee that an individual does not have to use the entire \$600. States that people with lighter addictions to cigarettes decrease as the cost of cigarettes go up. Believes that individuals smoking today have a more serious "hard core" addiction that requires medical assistance.
- 055 Dr. David Fleming State Epidemiologist, submits and presents highlights of written testimony in regard to HB 3204 (**EXHIBIT I**). States that the division believes it is appropriate to use funds from the tobacco settlement for cessation efforts. States that confirming whether or not a person has been tobacco free for six months presents a problem and requires expensive laboratory testing. Comments on the belief that people are avoiding cessation programs because of cost. States that evidence shows that few smokers seek out cessation programs, even when they are free. Maintains that education is the key.
- 095 Fleming Refers to EXHIBIT H, page 2, and discusses the potential for abuse of the benefits of HB 3204. Discusses cost shifting regarding existing state funded programs that will occur as a result of HB 3204.

126	Chair Kruse	Comments that he believes there are programs currently running that are taking people's money but are not helping people become and remain smoke free.
135	Fleming	Concurs. States that some programs may raise their program costs if they think there will be a reimbursement.
143	Chair Kruse	States that these issues must still be worked out. Explains that limiting options for cessation is not in the state's best interest.
151	Fleming	Concurs. Explains that the division is focusing efforts on strengthening existing programs.
161	Chair Kruse	Asks if the division would be willing to be involved in discussions if the funding section of the bill is removed, and the bill is sent to Ways and Means.
166	Fleming	Responds affirmatively. Reminds the committee that the division has worked carefully with experts who have experience with budgeting cessation and prevention programs so that they yield the largest return. Believes that the state's current program is a result of the best research-based mix of programs.
180	Chair Kruse	Asks if it is accurate to state that the division is currently spending \$4 million in radio and television ads and \$600,000 in cessation programs.
183	Fleming	Responds that, for the biennium, those figures are "roughly" accurate. Explains that "much of the energy the division is putting into the cessation program is not a direct delivery of services. \$600,000 refers to the Oregon Quit Line." Explains that the division is working with private health care providers to "offer cessation services using their nickel, rather than the state's nickel."
190	Chair Kruse	Comments that there is an imbalance between media campaigns and direct services.
204	Fleming	Responds that the largest percentage of the state's media campaign is directed at educating smokers about existing cessation assistance.
220	Rep. Knopp	Comments that this bill seems to be a "policy shift" and asks if the concepts in HB 3204 have been tried in other states.
226	Fleming	Responds that when the state was first designing the tobacco cessation and prevention program, policymakers were universally advised not to put the bulk of their funds in direct services. Experience of other states has shown this to be true. Maintains that the system the state has developed is based on the experiences of many other states and much research regarding best practices.
245	Rep. Krummel	Points out that life insurance companies require one year of cessation before an individual is considered smoke free. States that urine tests are used by insurance companies to test individuals for nicotine. Believes that cessation does not occur until an individual wants to quit, regardless of media coverage and nagging friends. Comments that a one pack a day smoker will spend \$120 per month on

cigarettes and a three pack a day smoker will spend \$460 per month. States that if a person is serious about quitting they should be able to use their cigarette money to afford a very good cessation treatment program.

- 272 Fleming Responds that studies indicate it takes most people several attempts to quit. Explains that urinalysis tests, referred to by Rep. Krummel, are good for detecting if a person has smoked in the last few days. Reports that they cost approximately \$25 per test.
- 300 Ed Patterson Oregon Association of Hospitals and Health Systems (OAHHS), submits and presents written testimony in support of HB 3204 (**EXHIBIT J**). Supports an amendment to remove section 1(3) of the bill.
- 350 Patterson Discusses the Tobacco Reduction Advisory Committee, of which he was a member, EXHIBIT J, page 3.
- 367 Patterson Refers to EXHIBIT J, page 4, and discusses budget proposals for the Oregon tobacco settlement. Explains that, during budget discussions, he supported spending more money on cessation programs. States that he and his doctor have made a commitment that he will be smoke free during the 2001 legislative session. Comments on dollars spent on the Quit Line. Discusses his initial disagreement of putting more dollars into the media campaign than into direct services. Maintains his belief that funding should be more balanced between these two program components. Suggests that a list of effective programs should be researched and made available to smokers. Concurs that there are moderate income families who could benefit from HB 3204.

#### **TAPE 65, A**

- 035 Patterson States that HB 3204 provides an economic incentive, but does not recreate new programs, requiring new resources, and new bureaucracies. Requests that the committee delete HB 3204, section 1(3), and move the bill, as amended, to Ways and Means.
- 060 Rep. Morrisette Asks what Patterson thinks of a sunset date being placed on HB 3204.
- 066 Patterson Responds that there is already money being spent on tobacco cessation. Explains that ten percent of the thirty cents pack-tax goes toward tobacco prevention and the OHP. Comments that he does not believe the legislature should micro-manage the way the division funds their tobacco programs.
- 073 Rep. Morrisette Comments that he would be more willing to support this legislation if there was a vehicle in place for looking at the effects of the bill in three years.
- 080 Patterson Does not agree with a sunset date. Discusses surveillance and evaluation funds that the state uses to evaluate and assess existing programs. States that the cessation program should have similar funding.
- 091 Rep. Morrisette Comments that this would be satisfactory and he will support the bill.

- 094 Rep. Winters Asks if the possible abuses of the program would be deterred if reimbursements were only for prescriptions or services.
- 100 Patterson Responds that there will be a small number of people who will actually use this kind of assistance. Explains that many people have their own insurance coverage. Suggests that questions of abuses will be answered when the program is put to the test.
- 120 Larry Harvey American Cancer Society, testifies in support of cessation. States that people cannot handle the addiction to cigarettes on their own. Concurs with Rep. Krummel that people quit when they have had enough. Contends that an 11 percent reduction in the number of cigarettes purchased in Oregon in the last 18 months is a sign that the state's education program is succeeding. Explains that comprehensive programs must take into consideration all the needs of the consuming public. States that he supports a free market system and wonders what is stopping people from entering the free market system now. Comments on the importance of understanding the thinking and behaviors of the addict.
- 225 Chair Kruse **Moves to suspend the rules for the purpose of allowing Rep. Morrisette and Rep. Lehman to vote on HB 3194.**
- Hearing no objection declares the motion carried.**
- Voting AYE: 2 n Lehman, Morrisette.**
- 236 Dennis Florendo Psychotherapist, testifies in support of HB 3204 by discussing the components of substance addiction. Explains that the main treatment technique he uses to assist individuals to quit tobacco is hypnosis. States that his success rate is ninety to ninety-five percent. Believes that his rate is so high because his approach is individualized.
- 330 Chair Kruse Closes the public hearing on HB 3204 and adjourns the meeting at 3:30 P.M.

Submitted By, Reviewed By,

Diane M. Lewis, Janet L. Carlson,  
Administrative Support Administrator



-  
-  
-  
-

**EXHIBIT SUMMARY**

**A ñ HB 3130, written testimony in support, Joan Ploem-Miller, 2 pp.**

**B ñ HB 3130, written testimony in support, Wayne Schumacher, 3 pp.**

**C ñ HB 3194, written testimony in support, Rep. Kitty Piercy, 34 pp.**

**D ñ HB 3194-1 amendments dated 4/16/99, 2pp.**

**E ñ HB 3194, written testimony in support, Phyllis Williams Naish, 1 p.**

**F ñ HB 3194, written testimony in support, Helen Hunt, 1 p.**

**G ñ HB 3194, written testimony in support, Delores Teller, 1 p.**

**H ñ HB 3194, written testimony in support, Kathy Ledesma, 2 pp.**

**I ñ HB 3204, written testimony in regard, David Fleming, 9 pp.**

**J ñ HB 3204, written testimony in support, Ed Patterson, 4 pp.**