

HOUSE COMMITTEE ON HUMAN RESOURCES

April 22, 1999 Hearing Room E

1:00 PM Tapes 66 - 67

MEMBERS PRESENT: Rep. Jeff Kruse, Chair

Rep. Kitty Piercy, Vice-Chair

Rep. Betsy Close-Vice Chair

Rep. Jerry Krummel

Rep. Tim Knopp

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 2963 Public Hearing

HB 2703 Public Hearing

HB 3188 Public Hearing

HB 3192 Public Hearing

HB 3261 Public Hearing

HB 2528 Public Hearing

HB 2495 Public Hearing and Work Session

SB 422A Public Hearing and Work Session

SB 425A Public Hearing and Work Session

TAPE/#	Speaker	Comments
TAPE 66, A		
006	Chair Kruse	Calls the meeting to order at 1:40 P.M. Opens a public hearing on HB 2963.
<u>HB 2963 PUBLIC HEARING</u>		
013	Chair Kruse	Closes the public hearing on HB 2963. Opens a public hearing on HB 2703.
<u>HB 2703 PUBLIC HEARING</u>		
015	Chair Kruse	Closes the public hearing on HB 2703. Opens a public hearing on HB 3188.
<u>HB 3188 PUBLIC HEARING</u>		
017	Chair Kruse	Closes the public hearing on HB 3188. Opens a public hearing on HB 3192.
<u>HB 3192 PUBLIC HEARING</u>		
019	Chair Kruse	Closes the public hearing on HB 3192. Opens a public hearing on HB 3261.
<u>HB 3261 PUBLIC HEARING</u>		
022	Chair Kruse	Closes the public hearing on HB 3261. Opens a public hearing on HB 2528.
<u>HB 2528 PUBLIC HEARING</u>		
028	Janet Carlson	Committee Administrator. Explains provisions of the bill. (EXHIBIT A)
035	Chair Kruse	States amendments are forthcoming on this bill; cannot complete work until they are drafted by Legislative Counsel.
040	Grover Simmons	Association of Adult Foster Care Providers of Oregon. Submits and presents written testimony in support of HB 2528. (EXHIBIT B)
106	Rep. Winters	Comments that she is surprised that a bill is necessary to mandate "consideration" and "respect" for providers.

115	Simmons	Responds there have been instances where respect has not been shown to providers.
130	Rep. Winters	Asks about the fiscal impact.
135	Simmons	Comments that this bill has no fiscal impact.
145	David Nebel	United Seniors of Oregon. Submits and presents written testimony in opposition to HB 2528. (EXHIBIT C) States this bill is unnecessary. The focus of public policy should be between the providers and the clients.
205	Rep. Winters	Asks how the relationship between providers and regulators should be addressed. States there must be problems for this issue to return a second time.
221	Nebel	Suggests that there are two sides to this issue. There is a process for providers to voice complaints of regulators.
270	Joanne Cody-Sproul	Provider, Albany. Testifies in support of HB 2528.
289	May Dasch	Oregon Chapters of Alzheimer's Association. Testifies in opposition to HB 2528. (EXHIBIT D) Expresses concerns with the bill, Section 2 (2, 3, 4, 5, and 13).
331	Rep. Krummel	Asks about providers' responsibilities.
345	Dasch	Comments that providers are currently given medical information on potential residents.
355	Rep. Winters	Asks for clarification of her concerns.
360	Dasch	Recommends that all subsections dealing with residents and their families be removed.
TAPE 67, A		
002	Rep. Krummel	Reads subsections that witness recommending removing.
007	Dasch	States most of those provisions are currently covered in statute.
018	Lee Hazelwood	Governor's Commission on Senior Services. Testifies in opposition to HB 2528. May limit Senior and Disabled Services Division (SDSD) access to foster home providers. States his concern is that the public may not have information about complaints filed against a foster home.

055	Rep. Krummel	Asks if there is a shortage of foster homes.
059	Hazelwood	Responds negatively.
075	David Brandt	Provider. Testifies in support of HB 2528. Explains that the state's regulators have treated providers badly and with disrespect. Providers work very hard to treat residents well.
108	Rep. Winters	Asks if he has taken his complaints beyond Senior Services.
110	Brandt	Responds he had asked for complaint procedures with no response.
117	Rep. Winters	Asks if he has contacted the citizen's representative in the Governor's office.
118	Brandt	States he was unaware of this option.
122	Rep. Winters	Asks if he has contacted the long-term care ombudsman.
123	Brandt	Responds he has not.
125	Rep. Lehman	Comments that SDSB seems to "ride rough shod" over providers. Asks how will this bill protect providers.
137	Brandt	Comments that this bill is a watered-down version of what is needed. Discusses provisions he would like included in the bill.
171	Chair Kruse	Closes public hearing on SB 2528. Opens public hearing on HB 2495.
<u>HB 2495 PUBLIC HEARING</u>		
191	Rep. Ken Strobeck	House District 6. Testifies in support of HB 2495. (EXHIBIT E) Refers to the proposed 11 amendments. (EXHIBIT F)
244	Chair Kruse	Comments that his intention is to move the bill today and refer it to the Revenue Committee.
258	Dolores Raymond	Caregiver. Submits and presents written testimony in support of HB 2495. (EXHIBIT G)
310	Raymond	Explains stress on family caregivers. Discusses shortage of caregivers. Urges support of this bill which provides a tax credit for family caregivers.

399	Raymond	Submits testimony from the Program Coordinator for the New Lifespan Respite Care Network in Marion County. (EXHIBIT H)
402	Sally Madden	Family Caregiver. Submits and presents written testimony in support of HB 2495. (EXHIBIT I)
TAPE 66, B		
010	Madden	Discusses a caregiver's stress and the daily activities of an Alzheimer's patient.
060	Michael Bailey	Commissioner, Oregon Disabilities Commission. Submits and presents written testimony in support of HB 2495. (EXHIBIT J)
098	Judie Christensen	Family provider of granddaughter with cerebral palsy. Submits and presents written testimony in support of HB 2495 (EXHIBIT K)
180	Nicola Cribb	National Multiple Sclerosis Society. Submits and presents written testimony in support of HB 2495. (EXHIBIT L)
215	Nancy Talbott	Caregiver. Submits and presents written testimony in support of HB 2495. (EXHIBIT M)
260	Chair Kruse	Closes public hearing on HB 2495. Opens work session on HB 2495.
<u>HB 2495 WORK SESSION</u>		
265	Rep. Close	MOTION: Moves to ADOPT HB 2495-1 amendments dated 03/26/99.
270	Chair Kruse	Hearing no objection, the motion CARRIES.
272	Rep. Close	MOTION: Moves HB 2495 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Revenue.
		VOTE: 5-0 AYE: 5 - Close, Knopp, Krummel, Piercy, Kruse EXCUSED: 3 - Morrisette, Taylor, Lehman, Winters
284	Chair Kruse	The motion CARRIES.

		<p><u>NOTE:</u> See Tape 67, B, 035. Rep. Winters votes AYE under suspension of rules.</p> <p><u>NOTE:</u> See Tape 67, B, 201. Rep. Lehman votes AYE under suspension of rules.</p>
286	Chair Kruse	Closes work session on HB 2495. Opens public hearing on SB 422A.
<u>SB 422A PUBLIC HEARING</u>		
290	Janet Carlson	Committee Administrator. Discusses provisions of the bill.
298	Grover Simmons	Legislative Representative, Association of Adult Foster Care Providers of Oregon. Submits and presents written testimony in support of SB 422A. (EXHIBIT N)
342	Rep. Piercy	Asks if any providers object to the provisions of the bill.
349	Simmons	Responds there are no objections.
368	May Dasch	Representative, Oregon Chapters of Alzheimer's Association. Submits and presents written testimony against SB 422A. Questions the need for this bill. Suggests amendments to the bill. (EXHIBIT O)
397	Chair Kruse	Asks for explanation of her objections.
TAPE 67, B		
002	Dasch	Explains the need for clarification of Section 2.
005	Chair Kruse	Asks if the witness testified before the Senate committee.
008	Dasch	Responds she did not, but did send written communication to each senator before the Senate floor vote.
013	Chair Kruse	Closes public hearing on SB 422A. Opens work session on SB 422A.
<u>SB 422A WORK SESSION</u>		
015	Rep. Piercy	MOTION: Moves SB 422A to the floor with a DO PASS recommendation.

		VOTE: 5-0 AYE: 5 - Knopp, Krummel, Piercy, Winters, Kruse EXCUSED: 4 - Close, Lehman, Morrisette, Taylor
020	Chair Kruse	The motion CARRIES. Rep. KRUMMEL will lead discussion on the floor.
		<u>NOTE:</u> See Tape 67, B, 206. REP. LEHMAN votes AYE under suspension of rules.
031	Chair Kruse	Closes the work session on SB 422A.
035	Chair Kruse	MOTION: Moves to SUSPEND the rules for the purpose of allowing Rep. Winters to vote on HB 2495.
036	Chair Kruse	Hearing no objection, the motion CARRIES.
		REP. WINTERS is RECORDED as voting AYE on HB 2495
049	Chair Kruse	Opens a public hearing on SB 425A.
<u>SB 425A PUBLIC HEARING</u>		
060	Grover Simmons	Legislative Representative, Association of Adult Foster Care Providers of Oregon. Submits and presents written materials in support of SB 425A. (EXHIBIT Q)
075	Chair Kruse	Asks why the bill was voted "aye" in the Senate committee and those same members voted "no" on the Senate floor.
078	Simmons	Responds he is not sure.
085	Rep. Piercy	Asks if the criminal background check procedure should be changed.
090	Simmons	Responds with recommendations for changes.

107	Rep. Piercy	Asks if he is in favor of criminal background checks.
108	Simmons	Respond affirmatively.
110	Rep. Piercy	Reads bill for clarification. Asks for SDSD's current rules.
130	Simmons	Responds that adult foster home providers want the same rules applied to them as to other long-term caregivers.
140	Rep. Winters	Comments on ORS 443.735 and how SB 425A will amend that statute.
151	Dave Brandt	Adult Foster Care Provider. Testifies in support of SB 425A.
	Staff	Enters into the record written testimony in opposition to SB 425A received from May Dasch. (EXHIBIT P)
161	Chair Kruse	Announces the committee will stand at ease.
188	Chair Kruse	Closes public hearing on SB 425A. Opens work session on SB 425A.
<p>-</p> <p><u>SB 425A WORK SESSION</u></p>		
190	Rep. Piercy	MOTION: Moves SB 425A to the floor with a DO PASS recommendation.
		<p>VOTE: 5-0</p> <p>AYE: 5 - Knopp, Lehman, Piercy, Winters, Kruse</p> <p>EXCUSED: 4 - Close, Krummel, Morrisette, Taylor</p>
		<p>Chair Kruse</p> <p>The motion CARRIES.</p> <p>Rep. LEHMAN will lead discussion on the floor.</p>
199	Chair Kruse	Closes the work session on SB 425A.
201	Chair Kruse	MOTION: Moves to SUSPEND the rules for the purpose

		of allowing Rep. Lehman to vote on HB 2495.
	Chair Kruse	Hearing no objection, the motion CARRIES.
		REP. LEHMAN is RECORDED as voting AYE on HB 2495.
206	Chair Kruse	MOTION: Moves to SUSPEND the rules for the purpose of allowing Rep. Lehman to vote on SB 422A.
208	Chair Kruse	Hearing no objection, the motion CARRIES.
		REP. LEHMAN is RECORDED as voting AYE on SB 422A.
215	Chair Kruse	Adjourns the meeting at 3:20 P.M.

Submitted By, Reviewed By,

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

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EXHIBIT SUMMARY

A ñ HB 2528, written material, staff, 2 pp

B ñ HB 2528, written testimony, Grover Simmons, 2 pp

C ñ HB 2528, written testimony, David Nebel, 1 p

D ñ HB 2528, written testimony, May Dasch, 1

E ñ HB 2495, written testimony, Rep. Ken Strobeck, 1 p

F ñ HB 2495, proposed ñ1 amendments, staff, 1 p

G ñ HB 2495, written testimony, Dolores Raymond, 3 pp

H ñ HB 2495, written testimony, Lee Ann Ryals, 2 pp

I ñ HB 2495, written testimony, Sally Madden 3 pp

J ñ HB 2495, written testimony, Michael Bailey, 2 pp

K ñ HB 2495, written testimony, Judie Christensen, 2 pp

L ñ HB 2495, written testimony, Nicola Cribb, 1 p

M ñ HB 2495, written testimony, Nancy Talbott, 2 pp

N ñ SB 422A, written testimony, Grover Simmons, 1 p

O ñ SB 422A, written testimony, May Dasch, 1 p

P ñ SB 425A, written testimony, May Dasch, 1 p

Q ñ SB 425A, written testimony, Grover Simmons, 9 pp