

HOUSE COMMITTEE ON HUMAN RESOURCES

April 27, 1999 Hearing Room E

1:00 PM Tapes 68 - 72

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 2704 Public Hearing and Work Session

HB 2144 Public Hearing and Work Session

HB 2146 Public Hearing and Work Session

HB 2147 Public Hearing

HB 2148 Public Hearing

HB 3355 Public Hearing

HB 2240 Public Hearing and Work Session

HB 2241 Public Hearing and Work Session

HB 2690 Public Hearing

HB 3030 Public Hearing and Work Session**HB 3099 Work Session****HB 2109 Work Session****HB 2131 Work Session****HB 2175 Work Session****HB 2179 Work Session****HB 2701 Work Session**

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 |
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| TAPE 68, A | | |
| 007 | Chair Kruse | Calls the meeting to order at 1:20 P.M. and opens a public hearing on HB 2704. |
| <u>HB 2704 PUBLIC HEARING</u> | | |
| 015 | Rep. Jerry Krummel | House District 27, submits testimony in support of the proposed ñ3 amendments, (EXHIBIT A) . Reports that representatives from the Oregon Health Division (OHD) will have conceptual amendments. |
| 060 | Chair Kruse | States that the bill will be referred to Ways and Means Committee to determine fiscal issues. |
| 089 | Jeff Giulietti | Peace Health Medical Group. Testifies in support of HB 2704. |
| 094 | David Sherden | President, Oregon Athletic Trainers Society. Testifies in support of HB 2704. Explains that this bill protects the public from uncertified athletic trainers. |
| 127 | Kathi Stotts | Oregon Athletic Trainers Society (OATS). Testifies in support of HB 2704. Discusses the function and relevance of OATS. |
| 185 | Kristin Kucera | Vice President, OATS, Linfield College, submits and presents written testimony in support of HB 2704, (EXHIBIT B) . Discusses the importance of athletic trainers. |
| 208 | Laura Mosley | Head Athletic Trainer, Sheldon High School. Testifies in support of HB 2704. |

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| | | Discusses the need for, and the responsibilities of, athletic trainers at the high school level. |
| 255 | Erin Cramer | Certified Athletic Trainer, Woodburn High School. Testifies in support of HB 2704. Discusses how HB 2704 will support and legitimize his profession. |
| 289 | Deborah Cagle | Willamette University, testifies in support of HB 2704. Discusses qualifications of Certified Athletic Trainers. |
| 332 | Shelly Jones | Certified Athletic Trainer, Tuality Sports Medicine, Century High School. Submits letters of support (EXHIBIT C) and testifies in support of HB 2704. |
| 390 | Sherden | Summarizes the panel's comments. |
| TAPE 69, A | | |
| 030 | Susan Wilson | Administrator, Oregon Health Division (OHD). Submits and presents written testimony (EXHIBIT D) in support of HB 2704 and conceptual amendments. States that her written testimony refers to HB 2704, but should be HB 2704. |
| 075 | Chair Kruse | Clarifies the conceptual amendments, (EXHIBIT E). |
| 086 | Chair Kruse | Closes the public hearing on HB 2704 and opens a work session on HB 2704. |
| <u>HB 2704 WORK SESSION</u> | | |
| 087 | Rep. Krummel | MOTION: Moves to ADOPT HB 2704-3 amendments dated 04/27/99. |
| 090 | Chair Kruse | Hearing no objection, the motion CARRIES. |
| 091 | Rep. Krummel | MOTION: Moves the HB 2704-3 amendments be FURTHER AMENDED by changing "Health Licensing Office" to "Oregon Health Division" wherever it appears in the bill, and by deleting lines 12-13, on page 9, and inserting "Subject to ORS 670.280, conviction of any criminal offense. A copy of the record of conviction, certified to by the clerk of the court, entering the conviction, shall be conclusive evidence of the conviction." |
| 110 | Chair Kruse | Hearing no objection, the motion CARRIES. |
| 112 | Rep. Krummel | MOTION: Moves HB 2704 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to |

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| | | the Committee on Ways & Means. |
| | | VOTE: 8-0 AYE: 8 - Close, Knopp, Krummel, Morrisette, Piercy, Taylor, Winters, Kruse EXCUSED: 1 - Lehman |
| 122 | Chair Kruse | The motion CARRIES. |
| 123 | Rep. Krummel | Declares he has a potential conflict of interest as he is a registered athletic trainer. |
| 129 | Chair Kruse | Closes the work session on HB 2704 and opens a public hearing on HB 2144. |
| <u>HB 2144 PUBLIC HEARING</u> | | |
| 131 | Barney Speight | Office for Oregon Health Plan Policy and Research, Department of Human Resources (DHR), submits and presents written testimony regarding HB 2144, (EXHIBIT F) . Explains that his office has no official position on the bill. States that page 2, Section (3), line 12, is not unanimously agreed to by all parties involved. |
| 209 | Rep. Taylor | Asks what is the problem with the re-credentialing cycle. |
| 211 | Speight | Responds that each institution approaches re-credentialing using different methodology. |
| 220 | Ed Patterson | Oregon Association of Hospitals and Health Systems (OAHHS). Submits and presents conceptual amendments to HB 2144, (EXHIBIT G) . |
| 270 | Barbara Halsey | Manager, Medical Services, Salem Hospital. Testifies in support of conceptual amendments to HB 2144. |
| 301 | Rep. Piercy | Asks for justification of the removal of line 12 on page 2 of the bill. |
| 307 | Speight | Responds that the bill was introduced before the workgroup completed its work; re-credentialing cycle was anticipated to be a problem. |
| 320 | Patterson | Comments that the workgroup had anticipated additional meetings. |
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| 333 | Rep. Taylor | Asks if the re-credentialing cycle causes physicians any problems. |
| 340 | Halsey | Responds negatively. |
| 342 | Patterson | Comments that problems will be precluded by standardizing the form. |
| 350 | Scott Gallant | Oregon Medical Association (OMA). Testifies in support of HB 2144 and the conceptual amendments. |
| 370 | Chair Kruse | Asks about opposition to the bill. |
| 372 | Gallant | Responds he is unaware of any opposition. |
| 401 | Chair Kruse | Closes public hearing on HB 2144. Opens work session on HB 2144. |
| <u>HB 2144 WORK SESSION</u> | | |
| 402 | Rep. Piercy | MOTION: Moves to AMEND HB 2144 on page 2, in line 12, delete "(c) A uniform recredentialing cycle for all licensed physicians.". |
| 410 | Chair Kruse | Hearing no objection, the motion CARRIES. |
| 415 | Rep. Piercy | MOTION: Moves HB 2144 to the floor with a DO PASS AS AMENDED recommendation. |
| | | VOTE: 7-0 AYE: 7 - Close, Knopp, Krummel, Piercy, Taylor, Winters, Kruse EXCUSED: 2 - Lehman, Morrisette |
| 417 | Chair Kruse | The motion CARRIES. REP. TAYLOR will lead discussion on the floor. |
| TAPE 68, B | | |
| 004 | Chair Kruse | Closes the work session on HB 2144 and opens a public hearing on HB 2146. |

HB 2146 PUBLIC HEARING

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| 010 | Barney Speight | Office for Oregon Health Plan Policy & Research, DHR, submits and presents written testimony in support of HB 2146 (EXHIBIT H). |
| 029 | Chair Kruse | Suggests a conceptual amendment. |
| 035 | Speight | Responds he has no problem with submitting resolutions to the Legislative Assembly as well as to the Governor. |
| 039 | Chair Kruse | Closes the public hearing on HB 2146 and opens a work session on HB 2146. |

HB 2146 WORK SESSION

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| 042 | Rep. Piercy | MOTION: Moves to AMEND HB 2146 on page 1, in line 17, after "Governor," insert "and Legislative Assembly". |
| 048 | Chair Kruse | Hearing no objection, the motion CARRIES. |
| 051 | Rep. Piercy | MOTION: Moves HB 2146 to the floor with a DO PASS AS AMENDED recommendation. |
| 055 | | VOTE: 6-0 AYE: 6 - Close, Knopp, Krummel, Piercy, Taylor, Kruse EXCUSED: 3 - Lehman, Morrisette, Winters |
| 057 | Chair Kruse | The motion CARRIES. Rep. KNOPP will lead discussion on the floor. |
| 058 | Chair Kruse | Closes the work session on HB 2146 and opens a public hearing on HB 2147. |

HB 2147 PUBLIC HEARING

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| 061 | Barney Speight | Office of Oregon Health Plan Policy and Research, DHR, submits and presents written testimony supporting HB 2147. (EXHIBIT I) States he has a conflict of interest. Submits written testimony from Dr. John Hoggard. (EXHIBIT J) |
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| 120 | Rep. Taylor | Refers to the proposed ñ1 amendments. (EXHIBIT K) |
| 125 | Jim Gardner | Pharmaceutical Research and Manufacturers of America (PhRMA). Submits and presents written testimony in opposition to HB 2147 (EXHIBIT L) . |
| 170 | Rep. Taylor | Asks for specific concerns. |
| 177 | Gardner | Responds with his concerns. |
| 188 | Speight | States that the Health Research Commission would not evade state law; work of the commission is public. |
| 218 | Gardner | Suggests that on line 6 of the proposed ñ1 amendments "directly or indirectly" should be deleted. |
| 229 | Chair Kruse | Comments that the bill needs more work. Closes the public hearing on HB 2147 and opens a public hearing on HB 2148. |
| <u>HB 2148 PUBLIC HEARING</u> | | |
| 230 | Barney Speight | Office of Oregon Health Plan Policy and Research, DHR, submits and presents written testimony regarding HB 2148, (EXHIBIT M) and written information supporting the proposed ñ1 amendments, (EXHIBIT N) . |
| 300 | Speight | Discusses refining the patient data collected by hospitals. |
| 350 | Speight | Explains data will be collected relating to financial information and survey of services. |
| 385 | Chair Kruse | Asks if the Hospital Association is in agreement with the proposed ñ1 amendments. |
| 388 | Ed Patterson | Oregon Association of Hospital and Health Systems (OAHHS). States that he wants to review the amendments. |
| 395 | Rep. Winters | Asks why a fee increase is necessary. |
| 401 | Speight | Responds that current fees are unrealistic; staff recommended an increase. |
| 425 | Chair Kruse | Decides that the committee will hold the bill over until the next meeting. Closes the public hearing on HB 2148 and opens a public hearing on HB 3355. |

TAPE 69, B**HB 3355 PUBLIC HEARING**

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| 035 | Janet Carlson | Committee Administrator. Summarizes the bill and discusses the proposed ñ4 amendments, (EXHIBIT O) . |
| 050 | Chair Kruse | States he drafted the proposed ñ4 amendments; discusses the purpose. |
| 065 | Phil Leveque | Medical Physician, American Association of Retired Persons (AARP). Testifies in opposition to HB 3355. |
| 080 | Rep. Taylor | Asks if the intent of the bill is to limit insurance abuses. |
| 085 | Leveque | Responds it is the physicianís responsibility to identify abuses. |
| 095 | Rep. Krummel | Asks if he has reviewed the proposed ñ4 amendments. |
| 100 | Leveque | Responds he has not. Urges committee to consider patients who are almost destitute. |
| 115 | Hersh Crawford | Office of Medical Assistance Programs (OMAP). Asks if the proposed ñ4 amendments replace the ñ1, ñ2, and ñ3 amendments. Comments he could support the proposed ñ4 amendments. |
| 130 | Rep. Piercy | Asks about the disadvantage of a co-pay. |
| 134 | Crawford | Explains the proposed ñ4 amendments are similar to the Medicaid system. |
| 145 | Rep. Morrisette | Asks if there is an upfront payment/premium. |
| 150 | Crawford | Responds there are some individuals who pay a monthly premium; ranges from \$6 ñ \$28/mo. for a family of four. |
| 160 | Rep. Morrisette | Asks if the co-pay would be a "double hit" for some individuals. |
| 170 | Crawford | Responds he is not sure; explains federal prohibitions. |
| 180 | Rep. Taylor | Asks if the proposed ñ4 amendments will be costly for OMAP to implement. |
| 194 | Crawford | Responds administering co-pays have always been a dilemma for OMAP. |

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| 215 | Rep. Taylor | Asks why this bill is necessary. |
| 220 | Chair Kruse | Responds that the bill was designed to be a pilot project; the Governor has had an interest in instituting co-pays in the past. |
| 248 | Rep. Taylor | Asks what this bill "fixes." |
| 249 | Chair Kruse | Responds that HB 3355 is meant to be a tool. |
| 254 | Rep. Taylor | Asks if the intent is for people to seek less medical attention. |
| 258 | Chair Kruse | Responds that the intent is for people to seek medical attention only when necessary. |
| 250 | Rep. Morrisette | Asks if there is a sunset on the bill. |
| 267 | Chair Kruse | Responds that it ends two years after the bill is implemented for the purpose of reviewing the co-pay program. |
| 280 | Karen Mainzer | Association of Oregon Community Mental Health Programs, submits and presents written testimony in opposition to HB 3355 (EXHIBIT P). |
| 310 | Jan Kaplan | Director, Lincoln County Health and Human Services Department, submits and presents written testimony in opposition to HB 3355 (EXHIBIT Q). |
| TAPE 70, A | | |
| 005 | Kaplan | States that the cost of collecting the co-payment may be more than the co-payment itself. |
| 025 | Rep. Krummel | Asks if the witness is aware that providers can waive a co-pay. |
| 028 | Kaplan | Responds negatively. Comments that if doctors and health care providers waive the co-pay then counties would have to absorb the difference. |
| 045 | Mainzer | Explains that the collection of co-payments represents an expense to county governments. |
| 051 | Bobbi Gary | Retired Social Worker. Testifies in opposition to HB 3355. |
| 082 | Chair Kruse | Closes the public hearing on HB 3355 and opens a public hearing on HB 2240 and 2241. |

HB 2240 and HB 2241 PUBLIC HEARING

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| 100 | Rep. Rob Patridge | House District 50. Submits and presents written testimony in support of HB 2240 and HB 2241. (EXHIBIT R) |
| 160 | Rep. Patridge | Explains that funding will come from the federal government. |
| 166 | Rep. Kitty Piercy | House District 39. Testifies in support of HB 2240 and HB 2241. |
| 190 | Rep. Close | States that her concern is about inspecting private homes; for example, where teenage babysitters watch more than one family's children. |
| 200 | Rep. Patridge | Discusses exemptions and exceptions in HB 2241. |
| 210 | Rep. Piercy | States that the bill is directed to small childcare businesses. |
| 278 | Tom Olson | Administrator, Child Care Division, Oregon Employment Department (OED). Testifies in favor of HB 2240 and HB 2241. |
| 285 | Annette Talbott | Legislative Coordinator, Oregon Employment Department (OED). Submits and presents written testimony supporting HB 2240 and HB 2241, (EXHIBIT S) . Refers to exemptions. |
| 289 | Rep. Close | Asks how a babysitter is defined. |
| 302 | Talbott | Responds with state definition. |
| 310 | Olson | Explains definition of babysitter further. |
| 320 | Talbott | States that both bills are part of approved packages in the Oregon Employment Department's budget. Discusses on-site reviews indicated in HB 2241. |
| 360 | Chair Kruse | States that there are no amendments to HB 2240. |
| 369 | Eileen Rasmussen | Mid-Valley Child Care Associates. Submits and presents written testimony in regard to HB 2240 (EXHIBIT T) and HB 2241 (EXHIBIT U) . Suggests changes to HB 2241. |
| TAPE 71, A | | |
| 015 | Chair Kruse | Notes that the bill provides a definition of "serious complaints." |
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| 028 | Rasmussen | Discusses the proposed n1 amendments to HB 2241, (EXHIBIT V) . |
| 080 | Rasmussen | Indicates that providers are being taxed on their household goods while conducting business in their home. |
| 100 | Chair Kruse | Closes the public hearings on HB 2240 and HB 2241. Opens a work session on HB 2240. |
| <u>HB 2240 WORK SESSION</u> | | |
| 110 | Rep. Piercy | MOTION: Moves HB 2240 to the floor with a DO PASS recommendation and BE REFERRED to the Committee on Ways & Means. |
| 112 | Rep. Close | Indicates her opposition to the bill. |
| 118 | Chair Kruse | Suggests further amendments can be submitted to the Ways & Means Committee. |
| 127 | Rep. Knopp | Acknowledges that he has some concerns. |
| | | VOTE: 5-1 AYE: 5 - Knopp, Morrisette, Piercy, Taylor, Kruse NAY: 1 - Close EXCUSED: 3 - Krummel, Lehman, Winters |
| Chair Kruse | | The motion CARRIES. |
| 130 | Chair Kruse | Closes the work session on HB 2240 and opens a work session on HB 2241. |
| <u>HB 2241 WORK SESSION</u> | | |
| 133 | Rep. Piercy | MOTION: Moves to ADOPT HB 2241-1 amendments dated 04/26/99. |
| 136 | Chair Kruse | Hearing no objection, the motion CARRIES. |
| 142 | Rep. Piercy | MOTION: Moves HB 2241 be FURTHER AMENDED by inserting "January 1, 2000" on page 6, line 31. |

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| 149 | Chair Kruse | Hearing no objection, the motion CARRIES. |
| 154 | Rep. Piercy | MOTION: Moves HB 2241 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Ways & Means. |
| | | VOTE: 5-1 AYE: 5 - Knopp, Morrisette, Piercy, Taylor, Kruse NAY: 1 - Close EXCUSED: 3 - Krummel, Lehman, Winters |
| 164 | Chair Kruse | The motion CARRIES. |
| 166 | Chair Kruse | Closes the work session on HB 2241 and opens a public hearing on HB 2690. |
| <u>HB 2690 PUBLIC HEARING</u> | | |
| 169 | Janet Carlson | Committee Administrator, summarizes the bill. |
| 186 | Tom Holt | Oregon State Pharmacists Association (OSPA), submits and presents written testimony in support of HB 2690 (EXHIBIT W) and the 7 amendments dated 4/27/99 (EXHIBIT X). Explains that the amendments narrow the bill's intent significantly. Reports that concepts in HB 2690 have been successful in California and Washington state. States that he is submitting with his testimony a letter of support from Dr. Henry Mustin, who has had significant experience supporting pharmacists in the limited practice of administering immunizations. Maintains that OSPA intends to include the Health Division in the drafting of administrative rules. |
| 250 | Holt | Refers to EXHIBIT W, page 2, and discusses provisions allowing pharmacists to administer other medications and flush IV lines. |
| 280 | Holt | Explains a conceptual amendment request by referring to HB 2702-7, page 2, lines 2,5,10 and 14, after "physician" add "nurse practitioner." States that "nurse practitioner" is currently defined in statute. Maintains that OSPA has no intention of gaining authorization for its members to write prescriptions. |
| 324 | Rep. Krummel | Asks why nurse practitioners are being added to the bill. |
| 326 | Holt | Responds that nurse practitioners commonly order immunizations and they were included in the bill as a courtesy. |
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| 337 | Rep. Krummel | Asks if physician assistants should be added. |
| 339 | Holt | Responds that he has no objection adding physician assistants. Explains that physician assistants operate under the authority of a doctor, which eliminates a need to include them in the bill. |
| 355 | Dan Kennedy | Stayton Pharmacist and Chair, Statewide Pharmacy Coalition, submits and summarizes written testimony in support of HB 2690 (EXHIBIT Y). States that the bill is good health care policy. Explains that pharmacists have daily access to people needing medications which makes them a logical location for immunization programs. |
| 370 | Mark Smith | Pharmacist Supervisor, Fred Meyer Pharmacies, testifies in support of HB 2690. Explains that he is licensed in Oregon and Washington state and is trained to give immunizations. Explains that the training was 20 hours with a 4-hour practicum. Reports that in the state of Washington, 40 Fred Meyer stores have given 50,000 immunizations in a 2-year time period. States that the public has been very receptive. |
| 425 | Rep. Krummel | Asks why people prefer a pharmacy to a doctor's office. |
| 430 | Smith | Responds that "ease of access" is the number one reason. States that the philosophy of one-stop-shopping easily translates into getting a flu shot before picking up groceries. |
| 441 | Rep. Taylor | Asks how pharmaceutical stock will be anticipated. |
| 453 | Smith | Responds that it takes preparation time and good communication; however, it's completely doable. States that Fred Meyer has access to overnight delivery. |
| TAPE 70, B | | |
| 033 | John Sattenspiel M.D. | President, Oregon Academy of Family Physicians (OAFP), submits and presents written testimony in opposition to HB 2690 (EXHIBIT Z). |
| 090 | Dr. Sattenspiel | Comments that in order to provide thorough medical services to his patients, he must have regular contact with his patients, taking advantage of all opportunities to see a patient in his office. Believes that HB 2690 fragments health care. States that the large influx of people being vaccinated in Washington by pharmacists was a fluke, because hepatitis immunizations became mandatory for school-age children. |
| 125 | Scott Gallant | Oregon Medical Association (OMA), submits written testimony in opposition to HB 2690 (EXHIBIT AA). Walks committee through provisions of the bill that are most opposed by OMA. |
| 150 | Gallant | Refers to EXHIBIT AA, and states that the 2 amendments dated 4/15/99 |

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| | | (EXHIBIT BB) do not go far enough to limit provisions that allow pharmacists to immunize patients and administer medications. |
| 225 | Gallant | Refers to EXHIBIT AA, page 3, and discusses HB 2690, section 5. |
| 245 | Rep. Krummel | Asks if Gallant has seen the ñ7 amendments. |
| 248 | Gallant | Responds affirmatively. Explains that the ñ2 amendments he referred to in his testimony are incorporated in the ñ7 amendments, and are not substantially different. |
| 256 | Rep. Krummel | Refers to HB 2690, page 5, line 34, and asks if removing "and dispense" would have an effect on the ability of doctors and other authorized professionals to dispense medications in their offices. |
| 260 | Gallant | Responds negatively. |
| 285 | Grant Higginson | State Health Officer, Deputy Administrator, Oregon Health Division (OHD), submits and presents written testimony in regard to HB 2690 (EXHIBIT CC). Refers to EXHIBIT CC and discusses questions and concerns of OHD regarding the implementation and practice of pharmacists doing more than administering flu shots to adults. States that the majority of OHD concerns are administrative. |
| 373 | Chair | Closes the public hearing on HB 2690 and opens a public hearing on HB 3030. |
| <u>HB 3030 PUBLIC HEARING</u> | | |
| 385 | Janet Carlson | Committee Administrator, summarizes the bill and the ñ1 amendments dated 3/26/99 (EXHIBIT GG). |
| 399 | Dr. Laurie Marzell | Naturopathic Medical Education Institute (NMEI), submits and presents written testimony in support of HB 3030 (EXHIBIT DD). |
| 439 | Dr. Margo Abshier | Naturopathic Doctor, submits written testimony in support of HB 3030 (EXHIBIT EE). |
| TAPE 71, B | | |
| 032 | Chair Kruse | Explains that because a few committee members must leave soon, he is temporarily closing the public hearing on HB 3030, and opening a work session on HB 3099 in order to move the bill to the Committee on Rules, Elections, and Public Affairs. |
| <u>HB 3099 WORK SESSION</u> | | |

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| 042 | Rep. Krummel | MOTION: Moves HB 3099 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules, Elections, and Public Affairs. |
| 044 | Rep. Taylor | Asks for the purpose of moving HB 3099 to another committee. |
| 046 | Chair Kruse | Explains that the Human Resources committee is not going to have time to hear the bill. |
| | | VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Piercy, Lehman |
| 053 | Chair Kruse | The motion CARRIES. |
| 054 | Chair Kruse | Closes the work session on HB 3099 and reopens the public hearing on HB 3030. |
| <u>HB 3030 PUBLIC HEARING</u> | | |
| 064 | Scott Gallant | OMA, submits conceptual amendments to HB 3030 regarding the substances that naturopathic physicians may make use of in their practice (EXHIBIT FF). |
| 092 | Chair Kruse | Asks if all parties are in agreement with the 11 amendments and the conceptual amendments proposed by the OMA. |
| 093 | Gallant | Responds affirmatively. Clarifies what the amendment segregates in terms of classifications of substances. |
| 134 | Marzell | Responds that NMEI is not interested in changing items listed in the formulary. Explains that Gallantis conceptual amendments will restrict homeopathic substances to "plant and animal substances only." Explains that there are a number of substances, including minerals, that can be used "homeopathically." |
| 147 | Gallant | Responds that the amendment modifies statute by clarifying substances naturopaths may use as recognized in the Homeopathic Pharmacopoeia. |
| 168 | Marzell | Comments that the formulary only lists "over the counter" substances. |
| 178 | Gallant | States that he is willing to work with the naturopathic physicians to find |

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| | | agreeable language. |
| 180 | Chair Kruse | Puts the committee at ease at 4:38 P.M. so that OMA and NMEI may come to language agreement. |
| 183 | Chair Kruse | Calls the meeting back to order at 4:50 P.M. |
| 186 | Gallant | Explains the agreement to add language to the ñ1 amendments, in line 3, insert "non-prescriptive, non-drug enforcement administration (DEA) regulated" before "homeopathic substances". States that he is assuming that if the committee passes the bill out with these conceptual amendments, that it will remain in this form on the Senate side. |
| 209 | Chair Kruse | Comments that nothing is to be assumed. |
| 212 | Rep. Krummel | Asks if this new change is in addition to the original conceptual amendment proposed by the OMA. |
| 214 | Gallant | Responds negatively. Explains that the conceptual amendment agreed upon with Dr. Marzell and Dr. Abshier replaces the first conceptual amendment he proposed to the committee. |
| 223 | Chair Kruse | Closes the public hearing on HB 3030 and opens a work session on HB 3030. |
| <u>HB 3030 WORK SESSION</u> | | |
| 224 | Rep. Piercy | MOTION: Moves to ADOPT HB 3030-1 amendments dated 3/26/99. |
| | | VOTE: 6-0 EXCUSED: 3 - Close, Lehman, Winters |
| 229 | Chair Kruse | Hearing no objection, declares the motion CARRIED. |
| 230 | Rep. Piercy | MOTION: Moves to AMEND HB 3030-1 on page 1, in line 3, before "homeopathic," insert "non-prescriptive, non-drug enforcement administration regulated". |
| | | VOTE: 6-0 EXCUSED: 3 - Close, Lehman, Winters |

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| 239 | Chair Kruse | Hearing no objection, declares the motion CARRIED. |
| | | VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 3 - Close, Lehman, Winters |
| 249 | Chair Kruse | The motion CARRIES. REP. KRUSE will lead discussion on the floor. |
| 251 | Chair Kruse | Closes the work session on HB 3030 and opens a work session on HB 2109. |
| <u>HB 2109 WORK SESSION</u> | | |
| 254 | Chair Kruse | Explains that the next four bills that the committee will hear have been heard in the Boards and Licenses Subcommittee, and moved to the full committee for consideration. |
| 259 | Janet Carlson | Committee Administrator, summarizes the bill and notes for the committee the packet of letters received by the subcommittee regarding the bill (EXHIBIT HH). States that the subcommittee moved the bill to the full committee with a "do pass" recommendation. |
| 274 | Rep. Krummel | MOTION: Moves HB 2109 to the floor with a DO PASS recommendation. |
| | | VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Lehman, Winters |
| 283 | Chair Kruse | The motion CARRIES. REP. MORRISETTE will lead discussion on the floor. |
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| 285 | Chair Kruse | Closes the work session on HB 2109 and opens a work session on HB 2131. |
| <u>HB 2131 WORK SESSION</u> | | |
| 288 | Janet Carlson | Committee Administrator, summarizes the bill and reports that the subcommittee moved the bill to the full committee with a "do pass" recommendation. |
| 298 | Rep. Krummel | MOTION: Moves HB 2131 to the floor with a DO PASS recommendation. |
| | | VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Lehman, Winters |
| 306 | Chair Kruse | The motion CARRIES. MORRISETTE will lead discussion on the floor. |
| 314 | Chair Kruse | Closes the work session on HB 2131 and opens a work session on HB 2175. |
| <u>HB 2175 WORK SESSION</u> | | |
| 316 | Janet Carlson | Committee Administrator, summarizes the bill and reports that the subcommittee recommended the bill to the full committee with a "do pass" recommendation. |
| 330 | Rep. Krummel | MOTION: Moves HB 2175 to the floor with a DO PASS recommendation. |
| 332 | Rep. Close | Asks for clarification of the ñ1 amendments dated 4/6/99 (EXHIBIT II). |
| 344 | Rep. Krummel | MOTION: Moves to WITHDRAW the motion to move HB 2175 to the floor with a DO PASS recommendation. |
| 345 | Chair Kruse | The motion CARRIES. |
| 348 | Rep. Krummel | MOTION: Moves to ADOPT HB 2175-1 amendments dated 4/6/99. |
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| 348 | Rep. Close | Asks for clarification of the intent of the ñ1 amendments. |
| 365 | Michael Skeels, Ph.D. | Director, State Public Health Laboratory, Oregon Health Division (OHD), submits and presents written testimony in support of the bill and the ñ1 amendments (EXHIBIT JJ). Explains that the ñ1 amendments slightly change the basis for establishing fees for clinical laboratories. Explains that between the time the department filed the bill and the bill was heard, the federal government changed its fee structure and allowed exemptions for clinical laboratories. Explains that the department worked with all parties that would be affected by changes in fees to collaboratively design the ñ1 amendments. |
| 390 | Rep. Close | Asks about the issue of "out of state labs." |
| 395 | Audrene Horton | Manager, Licensing Program, State Public Health Laboratory (OHD), explains that Oregon wanted a uniform regulation for out of state labs that propose to do testing in Oregon in non-traditional laboratories. |
| | | VOTE: 7-0 EXCUSED: 2 - Lehman, Winters |
| 432 | Chair Kruse | Hearing no objection, declares the motion CARRIED. |
| 433 | Rep. Krummel | MOTION: Moves HB 2175 to the floor with a DO PASS AS AMENDED recommendation. |
| 438 | Rep. Knopp | Comments that the federal government is fining Oregon for doing something right. Requests that committee members join him in drafting a letter to Oregonís federal representatives asking them to work on removing the \$75,000 "surcharge tax" on Oregon. |
| 452 | Chair Kruse and Rep. Krummel | Concur. |
| | | VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Lehman, Winters |
| 461 | Chair Kruse | The motion CARRIES. TAYLOR will lead discussion on the floor. |

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| 467 | Chair Kruse | Closes the work session on HB 2175 and opens a work session on HB 2179. |
| TAPE 72, A | | |
| <u>HB 2179 WORK SESSION</u> | | |
| 023 | Janet Carlson | Committee Administrator, summarizes the bill and reports that the subcommittee moved the bill to the full committee with a "no recommendation" as to passage. Points out written testimony in support of the bill from the Oregon State Board of Nursing (OBN) (EXHIBIT KK). |
| 030 | Rep. Knopp | Explains that Rep. Lehman had concerns of HB 2179. Reports that Rep. Lehman worked with the Department of Justice and OBN to create the ñ1 amendments dated 4/26/99 (EXHIBIT LL). |
| 040 | Rep. Knopp | MOTION: Moves to ADOPT HB 2179-1 amendments dated 4/26/99. |
| 043 | Rep. Piercy | Asks if these amendments are supported by OBN. |
| 045 | Kimberly Cobrain | Assistant Attorney General, Department of Justice, states that she drafted the ñ1 amendments. Explains that the concern raised in the subcommittee was in response to the absence of "specific parameters regarding the evaluation process of OBN licensees and applicants." |
| 058 | Susan King | Oregon Nurses Association, states her support of the ñ1 amendments. |
| | | VOTE: 7-0 EXCUSED: 2 - Lehman, Winters |
| 060 | Chair Kruse | Hearing no objection, declares the motion CARRIED. |
| 063 | Rep. Piercy | MOTION: Moves HB 2179 to the floor with a DO PASS AS AMENDED recommendation. |
| | | VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Lehman, Winters |
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| 069 | Chair Kruse | <p>The motion CARRIES.</p> <p>REP. LEHMAN will lead discussion on the floor.</p> |
| 071 | Chair Kruse | Closes the work session on HB 2179 and opens a work session on HB 2701. |
| <u>HB 2701WORK SESSION</u> | | |
| 072 | Chair Kruse | Explains that HB 2701 is a "place holder" bill. |
| 077 | Rep. Krummel | <p>MOTION: Moves HB 2701 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules, Elections, and Public Affairs.</p> |
| | | <p>VOTE: 7-0</p> <p>AYE: In a roll call vote, all members present vote Aye.</p> <p>EXCUSED: 2 - Lehman, Winters</p> |
| 083 | Chair Kruse | The motion CARRIES. |
| 084 | Chair Kruse | Closes the work session on HB 2701. |
| 086 | Chair Kruse | Thanks Rep. Knopp and the members of the Boards and Licenses subcommittee for their hard work. |
| 092 | Chair Kruse | Adjourns the meeting at 5:10 P.M. |

Submitted By, Reviewed By,

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

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EXHIBIT SUMMARY

A ñ HB 2704, proposed ñ3 amendments, staff, 13 pp
B ñ HB 2704, written testimony, Kristen Kucera, 2 pp
C ñ HB 2704, letters of support, Shelly Jones, 13 pp
D ñ HB 2704, written testimony, Susan Wilson, pp
E ñ HB 2704, conceptual amendment, staff, 1 pp
F ñ HB 2144, written testimony, Barney Speight, 2 pp
G ñ HB 2144, conceptual amendment, Ed Patterson, 1 p
H ñ HB 2146, written testimony, Barney Speight, 1 p
I ñ HB 2147, written testimony, Barney Speight, 2 pp
J ñ HB 2147, written testimony, Dr. John Hoggard, 3 pp
K ñ HB 2147, proposed ñ1 amendments, staff, 1 p
L ñ HB 2147, written testimony, Jim Gardner, 2 pp
M ñ HB 2148, written testimony, Barney Speight, 2 pp
N ñ HB 2148, proposed ñ1 amendments, staff, 1 p
O ñ HB 3355, proposed ñ4 amendments, staff, 1 p
P ñ HB 3355, written testimony, Karen Mainzer, 1 p
Q ñ HB 3355, written testimony, Jan Kaplan, 2 pp
R ñ HB 2240, written testimony, Rep. Rob Patridge, 1 p
S ñ HB 2240, written testimony, Annette Talbott, 2 pp
T ñ HB 2240, written testimony, Eileen Rasmussen, 1 p
U ñ HB 2241, written materials, Eileen Rasmussen, 14 pp

V ñ HB 2241, proposed ñ1 amendments, staff, 1 p

W ñ HB 2690, written testimony, Tom Holt 5 pp.

X ñ HB 2690-7 amendments dated 4/27/99, Tom Holt, 2 pp

Y ñ HB 2690, written testimony, Dan Kennedy, 2 pp

Z ñ HB 2690, written testimony, Dr. John Sattenspiel, 2 pp

AA ñ HB 2690, written testimony, Scott Gallant, 5 pp

BB ñ HB 2690-2 amendments dated 4/15/99, staff, 2 pp

CC ñ HB 2690, written testimony, Dr. Grant Higginson, 3 pp

DD ñ HB 3030, written testimony, Dr. Laurie Marzell, 3 pp

EE ñ HB 3030, written testimony, Dr. Margo Abshier, 3 pp

FF ñ HB 3030, conceptual amendment, Scott Gallant, 1 p

GG ñ HB 3030-1 amendment dated 4/27/99, staff, 1 p

HH ñ HB 2109, written testimony, John Socolofsky, 5 pp

II ñ HB 2175-1 amendments dated 4/6/99, staff, 5 pp

JJ ñ HB 2175, written testimony, Michael Skeels, 4 pp

KK ñ HB 2179, written testimony, staff, 2 pp.

LL ñ HB 2179-1 amendments dated 4/26/99, Rep. Tim Knopp, 1 p