

**HOUSE COMMITTEE ON HUMAN RESOURCES**

**May 20, 1999 Hearing Room E**

**1:00 PM Tapes 96 - 99**

**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: SB 821 Work Session SJR 25A Work Session**

**SJR 28 Work Session HB 3630 Work Session**

**SB 1140 Work Session SB 110A Work Session**

**SB 1141A Work Session SB 308 Work Session**

**SB 414A Work Session SB 309 Work Session**

**SB 516A Work Session SB 311 Work Session**

**SB 1291 Work Session SB 348 Work Session**

**SB 1156A Work Session SB 974 Work Session**

**SB 210A Work Session**

TAPE/#	Speaker	Comments
<b>TAPE 96, A</b>		
006	Chair Kruse	Calls the meeting to order at 1:30 P.M. and opens a work session on SB 821.
<b><u>SB 821 WORK SESSION</u></b>		
015	Scott Gallant	Oregon Medical Association, testifies in support of SB 821. Explains that the bill amends medical staff bylaws. States that there is no known opposition to the bill.
030	Dave Seibel, M.D.	Radiologist, Roseburg, OR, Immediate Past President, Douglas County Medical Society, submits and presents written testimony in support of SB 821 ( <b>EXHIBIT A</b> ).
045	Rep. Lehman	Asks why hospitals refuse staff privileges.
048	Seibel	Responds that refusing staff privileges to physicians limits the amount of professional staff for another hospital. Explains that it also limits hospital choices for patients. Maintains that refusing privileges allows hospital administrators to more easily influence doctors to perform procedures that are in the best interest of the hospital.
057	Rep. Morrisette	Asks if SB 821 has implications for primary care physicians.
063	Gallant	Responds that the bill prevents a physician from losing staff privileges solely because the physician practices at more than one hospital.
070	Rep. Morrisette	Asks if there are hospitals in Oregon that do not allow the practice of physicians staffing at multiple hospitals.
073	Gallant	Responds that the Hospital Association recently indicated that there are no known hospital bylaws restricting staff privileges solely for the reason that a physician decides to practice in more than one hospital.
085	Rep. Piercy	<b>MOTION: Moves SB 821 to the floor with a DO PASS recommendation.</b>
		<p><b>VOTE: 8-0</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p> <p><b>EXCUSED: 1 - Krummel</b></p>

095	Chair Kruse	<p><b>The motion CARRIES.</b></p> <p><b>REP. TAYLOR will lead discussion on the floor.</b></p>
097	Chair Kruse	Closes the work session on SB 821 and opens work sessions on SJR 28, SB 1140, and SB 1141. Explains that these bills all speak to the issue of pain management.
<b><u>SJR 28, SB 1140, AND SB 1141 WORK SESSIONS</u></b>		
100	Sen. Joan Dukes	Senate District 1, testifies in support of all three bills. Explains that SJR 28 is in response to the 1997-1999 interim pain and system management task force. Explains that SB 1140 sets up two pilot projects within the Department of Human Resources (DHR) and is entirely dependent on grant dollars. Explains that SB 1141 creates a "pain management advocate" in DHR and has the support of the department's director Gary Weeks. Explains that this position does not function like an ombudsman.
188	Rep. Winters	Asks if the advocate position in SB 1141 is dependent upon funds in SB 1140.
190	Sen. Dukes	Responds negatively. States that funding for SB 1140 and SB 1141 are separate.
196	Chair Kruse	Asks if SB 1141 should be referred to Ways and Means.
197	Sen. Dukes	Responds affirmatively. Explains that SB 1140 has already been to Ways and Means and does not need to return.
205	Rep. PIERCY:	<b>MOTION: Moves SJR 28 be sent to the floor with a BE ADOPTED recommendation.</b>
		<p><b>VOTE: 8-0</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p> <p><b>EXCUSED: 1 - Krummel</b></p>
215	Chair Kruse	<p><b>The motion CARRIES.</b></p> <p><b>REP. WINTERS will lead discussion on the floor.</b></p>

216	Chair Kruse	Closes the work session on SJR 28.
223	Rep. Piercy	<b>MOTION: Moves SB 1140 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.</b>
		<b>VOTE: 8-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Krummel</b>
234	Chair Kruse	<b>The motion CARRIES.</b>  <b>REP. CLOSE will lead discussion on the floor.</b>
235	Chair Kruse	Closes the work session on SB 1140.
236	Rep. Piercy	<b>MOTION: Moves SB 1141A to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.</b>
		<b>VOTE: 8-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Krummel</b>
246	Chair Kruse	<b>The motion CARRIES.</b>
247	Chair Kruse	Closes the work session on SB 1141A and opens a work session on SB 414A.
<b><u>SB 414 A WORK SESSION</u></b>		
253	Howard (Rocky) King	Administrator, Insurance Pool Governing Board (IPGB), submits and presents written testimony in support of SB 414A ( <b>EXHIBIT B</b> ). Provides the committee with a brief history of IPGB. Discusses transitioning IPGB plans into the regular market during a twelve month period.
327	Rep. Taylor	Asks if IPGB will provide assistance to current enrollees during the transition period.

330	King	Responds affirmatively.
352	Rep. Piercy	<b>MOTION: Moves SB 414A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 2 - Krummel, Morrisette</b>
363	Chair Kruse	<b>The motion CARRIES.</b>  <b>REP. LEHMAN will lead discussion on the floor.</b>
365	Chair Kruse	Closes the work session on SB 414A and opens a work session on SB 516A.
<b><u>SB 516 A WORK SESSION</u></b>		
371	Howard (Rocky) King	Administrator, Oregon Medical Insurance Pool (OMIP), submits and presents written testimony in support of SB 516A ( <b>EXHIBIT C</b> ) and the ñA4 amendments dated 5/20/99 ( <b>EXHIBIT D</b> ). Provides the committee with a brief history of OMIP. Refers to EXHIBIT C, and discusses the bill's provision allowing current OMIP enrollees, who become eligible for Medicare, to continue with OMIP. Summarizes the ñA4 amendments which provide the OMIP Board with full discretion regarding enrollment and eligibility criteria.
445	Bruce Bishop	Kaiser Permanente Hospitals, testifies in support of SB 414-A4.
<b>TAPE 97, A</b>		
010	Rep. Piercy	<b>MOTION: Moves to ADOPT SB 516-A4 amendments dated 5/20/99.</b>
		<b>VOTE: 8-0</b> <b>EXCUSED: 1 - Morrisette</b>
014	Chair Kruse	<b>Hearing no objection, declares the motion CARRIED.</b>

015	Rep. Piercy	<b>MOTION: Moves SB 516A to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 8-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Morrisette</b>
030	Chair Kruse	<b>The motion CARRIES.</b>  <b>REP. LEHMAN will lead discussion on the floor.</b>
032	Chair Kruse	Closes the work session on SB 516A and opens a work session on SB 1291.
<b><u>SB 1291 WORK SESSION</u></b>		
040	Howard (Rocky) King	Administrator, IPGB and OMIP, submits and presents written testimony in support of SB 1291 ( <b>EXHIBIT E</b> ). Discusses the Family Health Insurance Assistance Program (FHIAP) passed by the 1997 Legislative Assembly. States that FHIAP is successful and has a waiting list. Explains technical changes that SB 1291 proposes to FHIAP: <ul style="list-style-type: none"> <li>• Using assistance vouchers as opposed to subsidies.</li> <li>• Meeting requirements to attract federal funds.</li> <li>• Providing benchmark plans for families in need.</li> </ul>
097	Rep. Winters	Asks how much is anticipated to be available from Title XIX dollars.
100	King	Responds that the governor's budget contained \$1 million federal funds and \$23.4 million state funds. Explains that these figures need to increase in 99-01.
105	Rep. Winters	Asks how many more individuals will be served by anticipated increases in funds.
106	King	Responds that 1,500 children could be added to the program.
109	Rep. Piercy	<b>MOTION: Moves SB 1291 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 8-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>

		<b>EXCUSED: 1 - Morrisette</b>
119	Chair Kruse	<b>The motion CARRIES.</b>  <b>REP. TAYLOR will lead discussion on the floor.</b>
121	Chair Kruse	Closes the work session on SB 1291 and opens a work session on SB 1156A.
<b><u>SB 1156A WORK SESSION</u></b>		
130	Sen. Ted Ferrioli	Senate District 28, submits written testimony in support of SB 1156A ( <b>EXHIBIT F</b> ) and relates a story of an accident victim receiving contributions, raised by her community, to help offset medical costs. Explains that the victim's family had to declare the contributions as assets and subsequently lost their eligibility for the Oregon Health Plan (OHP). States that SB 1156A exempts community contributions when eligibility for OHP is considered. Refers to EXHIBIT F, page 1, and defines "community" as the bill intends. Reports that DHR supports the bill.
175	Rep. Krummel	<b>MOTION: Moves SB 1156A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 9-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>
190	Chair Kruse	<b>The motion CARRIES.</b>  <b>REP. KNOPP will lead discussion on the floor.</b>
193	Sen. Ferrioli	Thanks committee members for their effort to pass SB 1156A.
195	Chair Kruse	Closes the work session on SB 1156A and opens a work session on SB 210A.
<b><u>SB 210A WORK SESSION</u></b>		
210	Maxine McKibben	Department of Insurance, Office of Rates and Forms, testifies in support of SB 210-A5 amendments dated 5/20/99 ( <b>EXHIBIT G</b> ).

231	Peggy Anet	Health Insurance Association of America, states that the Senate Health and Human Services Committee understood that, as a time consideration, the ñA5 amendments would be proposed in the House Human Resources Committee.
241	Lewis Littlehales	Insurance Division, summarizes the ñA5 amendments. States that the bulk of the amendments deal with guaranteed renewability of health plans. Explains that health plans are guaranteed renewable with certain exceptions. Clarifies that the ñA5 amendments rewrite the exceptions for individual plans, small employer group plans, and general group plans. Explains that these plans include insurers who want to discontinue a plan in Oregon or remove a geographical area from a plan.
266	Littlehales	Summarizes the ñA5 amendments in detail.
312	Rep. Piercy	Refers to ñA5 amendments, page 3, line 21, and asks for examples of "disruptive, unruly, or abusive action taken by an enrollee that seriously impairs the ability of the carrier...to provide services to enrollee."
319	Littlehales	Responds that this provision of the ñA5 amendments was submitted by Kaiser Permanente.
325	Bruce Bishop	Kaiser Permanente, responds that current law states that violent or abusive behavior by a policy holder is a permissible basis for terminating an enrollee. Explains that page 3, line 21, refers to individuals who become violent in a health care setting. States that this authority is designed to protect medical staff, and has not yet been exercised.
366	Rep. Winters	Comments that the terms used are rather subjective. Asks what is specifically meant by "disruptive."
370	Bishop	Replies that this refers to threatening behavior that jeopardizes the welfare of staff in a health care facility.
382	Rep. Taylor	Comments that there is a concern that a patient whose illness causes them to act disruptive or unruly may lose their health care. Asks for confirmation that this is not the intent of the bill.
390	Bishop	Clarifies that this is not the intent of the bill. Explains that this is only intended to control people who are consciously intending to threaten or harm staff.
415	Rep. Taylor	Suggests conceptual language that would clarify "threatening behavior that jeopardizes patient."
<b>TAPE 96, B</b>		
002	Bishop	Maintains that this language protects patients whose illness causes them to act in a threatening manner. Explains that articulating the consequence to a patient, that



		they could lose their health care coverage, has a calming effect.
012	Rep. Morrisette	Comments that the length and complexity of the ñA5 amendments makes it difficult to understand them and vote responsibly on them.
020	Chair Kruse	Responds that the ñA5 amendments are consensus amendments that came out of a workgroup of professionals designated to deal with these issues.
026	Bishop	States that the Insurance Division has reviewed the ñA5 amendments and agrees that they meet with the provisions requested by the workgroup.
029	Chair Kruse	Reminds the committee that the Senate will have the opportunity to concur or not concur with the ñA5s.
037	Rep. Piercy	Comments on her discomfort with language on page 3, lines 21-25.
041	McKibben	Responds that prior law was much less specific than the language on page 3, lines 21-25.
059	Valerie Jantz	Citizen, concurs with the comments of Rep. Piercy and states that "intention is one thing, but what appears in black and white can be interpreted in many different ways."
064	Chair Kruse	Comments that if the Insurance Division is comfortable with language and intent, and there has not been misuse of this provision in the past, he is comfortable with leaving it as it is.
070	Jantz	Discusses her great auntís behavior during a difficult illness and eventual death. Relates how devastating it would have been for her aunt to lose her health care coverage.
078	Rep. Knopp	Explains that time is limited, and the committeeís ability to find language that all parties will be comfortable with is unlikely. Comments that conceptual amendments might resolve feelings of discomfort, but wonít be perfect.
088	Rep. Krummel	Concurs with Rep. Knopp, and comments that provider networks are not looking for ways to kick people out of health care plans.
108	Rep. Winters	Comments that Rep. Taylor and herself are working out a conceptual amendment affecting language on pages 3 and 6 of the ñA5 amendments.
112	Rep. Taylor	Refers to ñA5 amendments, page 3, line 23, and requests that "threatens health care staff or" be inserted after the word "that."

130	Bishop	Responds that this addition is consistent with the goal that Kaiser Permanente seeks with this provision. Comments that this language may be too subjective, and may create interpretation problems that it currently seeks to resolve.
140	Rep. Taylor	Asks why "threatens" is considered to be more subjective.
142	Chair Kruse	Comments that "jeopardize" has a higher threshold of severity than "threatens." Asks the Insurance Division for comments on the conceptual language addition.
143	McKibben	Responds that she has no objection to the proposed language addition. Comments that the Insurance Division is comfortable with the bill's current language. Explains that if an individual was non-renewable for OHP because of this provision, they would have advocacy through the Consumer and Business Services Office of the Insurance Division.
162	Rep. Winters	Asks for clarification of the Chair's intention.
165	Rep. Taylor	Comments that she has been disruptive, unruly, and abusive herself in the past.
168	Bishop	Responds that although Rep. Taylor may have behaved in a questionable manner, he doubts that she has seriously impaired the ability of her provider to provide services. States that "serious impairment" is the important component to this provision. Reminds the committee that, if they want to proceed with conceptual changes to this provision, there is also a section in the A-engrossed bill that will need to be changed to maintain consistency within the statute.
186	Tom Sadores	Practicing Internist, Portland, OR, asks the question; "What are the counter-prevailing opinions to the insurance industry in the situation of a patient losing coverage for seriously impairing the ability of health care staff to provide services." Testifies that there are many other steps that can be taken before a patient loses coverage.
217	Chair Kruse	Comments that this provision of the amendment only intends to clarify current statute.
220	Rep. Piercy	Responds that she does not accept this clarification. Comments that the committee has neither the time nor the ability to "wordsmith" this provision.
229	Rep. Knopp	Comments that the bill requires more work. States his willingness to support the bill's passage and would like to see it go to a conference committee.
235	Chair Kruse	Concurs with Rep. Knopp and intends to speak with Sen. Fisher regarding the possibility of sending the bill to a conference committee.
255	Rep. Taylor	Supports sending the bill to a conference committee.

256	Rep. Morrisette	Supports continued work on the bill.
267	Rep. Piercy	<b>MOTION: Moves to ADOPT SB 210-A5 amendments dated 5/20/99.</b>
		<b>VOTE: 7-0</b> <b>EXCUSED: 2 - Lehman, Winters</b>
270	Chair Kruse	<b>Hearing no objection, declares the motion CARRIED.</b>
272	Rep. Piercy	<b>MOTION: Moves SB 210A to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-1</b> <b>AYE: 7 - Knopp, Krummel, Morrisette, Piercy, Taylor, Winters, Kruse</b> <b>NAY: 1 - Close</b> <b>EXCUSED: 1 - Lehman</b>
293	Chair Kruse	<b>The motion CARRIES.</b>  <b>REP. KRUSE will lead discussion on the floor.</b>
300	Chair Kruse	Closes the work session on SB 210A and opens a work session on SJR 25.
<b><u>SJR 25 WORK SESSION</u></b>		
305	Sen. Frank Shields	Senate District 9, testifies in support of SJR 25. Explains that the bill is a response to a national trend that state departments of human resources are creating partnerships with faith-based organizations (FBOs) to provide services to people in need. Discusses the contributions that FBOs are providing to the state.
361	Gary Weeks	Director, Department Human Resources, testifies in support of SJR 25. Discusses the department's current participation with FBO partnerships. Maintains that DHR is not looking for a handout. States that this bill gives the department incentive to do more for people and families in need.
401	Chair Kruse	Asks about the possibility of duplication, if DHR is currently involved with

		partnerships among FBOs.
404	Weeks	Responds that convening a task force will more specifically detail policies and procedure for partnerships. States that DHR supports expanding the relatively new practice of working with faith-based organizations. Concludes that the task force will expand the partnership network.
<b>TAPE 97, B</b>		
005	Winters	States her support for the bill. Comments that DHR has been involved with FBOs for a long time. Maintains that community action programs have had a natural partnership with FBOS. States that the bulk of organizations listed in the bill started in DHR as partners with faith-based organizations.
019	Weeks	Responds that the intent of the bill is to create incentive and support for the department to continue and expand partnerships with FBOs.
029	Sen. Shields	Comments on provisions in the 1996 Welfare Reform Act that call for more partnerships.
035	Rep. Morrisette	Discusses his experience of discovering disconnects in his district between welfare agencies and St. Vincent DePaul. States that these organizations were serving the same clients. Comments that this resolution will address the very situation he encountered.
053	Rep. Taylor	Requests the words "community organizations" be included in the bill.
065	Sen. Shields	Replies that community organizations are included in the resolution. Language does not limit organizations to ones that are faith-based.
086	<b>Rep. KNOPP:</b>	<b>MOTION: Moves SJR 25A be sent to the floor with a BE ADOPTED recommendation.</b>
		<b>VOTE: 8-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Piercy</b>
096	<b>Chair Kruse</b>	<b>The motion CARRIES.</b>  <b>REP. MORRISETTE will lead discussion on the floor.</b>

100	Chair Kruse	Closes the work session on SJR 25A and opens a work session on HB 3630.
<b><u>HB 3630 WORK SESSION</u></b>		
119	Donalda Dodson	Assistant Administrator, Oregon Health Division (OHD), submits and presents written testimony in support of HB 3630 ( <b>EXHIBIT H</b> ) and the ñ1 amendments dated 5/18/99 ( <b>EXHIBIT I</b> ). Discusses the importance of establishing the Women, Infants, and Children Food Supplemental Food Program (WIC) in statute. Refers to EXHIBIT H, page 2, and discusses new federal regulations that must be implemented to ensure the stateís continued eligibility for federal funds.
187	Rep. Krummel	Asks if HB 3630 continues federal funding for the WIC program.
190	Dodson	Responds affirmatively. Explains that federal funds are the only funds available for WIC.
195	Rep. Krummel	Asks if the program is already established, why is the bill necessary.
196	Dodson	Responds that current statutory authority does not provide the ability to levy certain monetary penalties against vendors who practice unlawful transactions. Explains that this authority will bring Oregon in line with federal requirements.
210	Rep. Krummel	Asks how change is made when food stamps are used to purchase groceries.
221	Dodson	Responds that dollars spent on allowed groceries are written on the "food instrument."
228	Rep. Krummel	Asks about the term "trafficking."
238	Dodson	Explains that trafficking takes place when a vendor buys or trades a WIC recipient for their food instrument.
253	Rep. Winters	Asks if this bill is intended to put the department in compliance with federal law.
258	Dodson	Responds affirmatively.
261	Rep. Krummel	Asks about the process of using a "food instrument."
277	Dodson	Explains that food instruments identify what the client is eligible to receive. Explains that the client uses a food instrument once, and whatever dollar amount is left on the card is lost to the client.
312	Rep. Taylor	Comments on her support for the WIC program and HB 3630.

330	Rep. Winters	<b>MOTION: Moves to ADOPT HB 3630-1 amendments dated 5/18/99.</b>
		<b>VOTE: 8-1</b> <b>AYE: 8 - Close, Knopp, Lehman, Morrisette, Piercy, Taylor, Winters, Kruse</b> <b>NAY: 1 - Krummel</b>
341	Chair Kruse	<b>The motion CARRIES.</b>
346	Rep. Winters	<b>MOTION: Moves HB 3630 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 8-1</b> <b>AYE: 8 - Close, Knopp, Lehman, Morrisette, Piercy, Taylor, Winters, Kruse</b> <b>NAY: 1 - Krummel</b>
360	Chair Kruse	<b>The motion CARRIES.</b>  <b>REP. WINTERS will lead discussion on the floor.</b>
361	Chair Kruse	Closes the work session on HB 3630 and opens a work session on SB 110A.
<b><u>SB 110A WORK SESSION</u></b>		
380	Rep. Betsy Close	House District 36, testifies in support of SB 110A, and submits the ñA4 amendments dated 5/20/99 ( <b>EXHIBIT J</b> ).
390	Eileen Rasmussen	President, Mid-Valley Child Care Associates, submits written testimony in support of SB 110A and information regarding the recognition and reporting of child abuse and neglect ( <b>EXHIBIT K</b> ). States her support of the ñA4 amendments.
401	Tom Olsen	Administrator, Child Care Division, Employment Department, submits written testimony in support of SB 110A ( <b>EXHIBIT L</b> ). States the department's support of the ñA4 amendments.
403	Rep. Winters	Asks if the bill has a fiscal impact.

409	Annette Talbott	Legislative Coordinator, Oregon Employment Department, responds that there is no fiscal impact for the department. States that the department currently provides child care classes. Explains that any minimal cost for child care education will be paid for by providers.
237	Rep. Close	<b>MOTION: Moves to ADOPT SB 110-A4 amendments dated 05/20/99.</b>
		<b>VOTE: 7-0</b> <b>EXCUSED: 2 - Krummel, Piercy</b>
441	Chair Kruse	Hearing no objection, declares the motion CARRIED.
443	Rep. Close	<b>MOTION: Moves SB 110A to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 2 - Krummel, Piercy</b>
455	Chair Kruse	The motion CARRIES.  <b>REP. CLOSE will lead discussion on the floor.</b>
457	Chair Kruse	Closes the work session on SB 110A and opens a work session on SB 308.
<b><u>TAPE 98, A</u></b>		
<b><u>SB 308 WORK SESSION</u></b>		
025	Tom Johnson	Assistant Administrator, Oregon Health Division (OHD), submits and presents written testimony in support of SB 308 ( <b>EXHIBIT M</b> ). States that cases investigated by OHD involving misconduct of licensed emergency medical technicians (EMT) are a minority. Explains that the transfer of subpoena authority did not take place when EMT regulating and licensing authority was transferred to OHD from the Board of Medical Examiners.
084	Rep. Winters	Asks for situations where OHD has subpoena authority.

089	Johnson	<p>Responds that OHD regulates only a few health professions. Provides the committee with examples of health regulatory bodies which have subpoena authority:</p> <ul style="list-style-type: none"> <li>• Board of Optometry</li> <li>• Board of Naturopathic Physicians</li> <li>• Board of Massage Technicians</li> <li>• Physical Therapy Board</li> <li>• Board of Pharmacy</li> <li>• Board of Medical Examiners</li> <li>• Board of Dentistry</li> </ul>
097	Rep. Winters	Asks if background checks are routinely conducted on EMTs.
101	Johnson	<p>Responds that there are two issues:</p> <ul style="list-style-type: none"> <li>• Checking out individuals who apply for licensure.</li> <li>• Checking out licensed EMTs who have complaints brought against them.</li> </ul> <p>Explains that the bill will provide authority for OHD to do both.</p>
107	Rep. Winters	Asks for the extent that OHD currently conducts background checks.
108	Johnson	Responds that background checks are currently conducted at the application process. Explains that the bill is most important for expediting investigations of complaints against EMTs.
108	Rep. Winters	Comments that she is concerned with the broad scope of power this may provide to OHD.
122	Johnson	Responds that complaints against EMTs for breach of professional standards involves extensive investigation. Explains that the authority to subpoena records existed in the last regulating body that oversaw EMTs. States that OHD is not asking for authority to conduct a new regulating practice.
130	Johnson	States that this legislation was brought forward with the support of the state's Attorney General.
169	Chair Kruse	Puts the meeting at ease at 3:40 P.M. Calls the meeting back to order at 3:45 P.M.
185	Rep. Krummel	<b>MOTION: Moves SB 308 to the floor with a DO PASS recommendation.</b>
		<p><b>VOTE: 7-0</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p>



		<b>EXCUSED: 2 - Close, Piercy</b>
<b>200</b>	<b>Chair Kruse</b>	<b>The motion CARRIES.</b>  <b>REP. TAYLOR will lead discussion on the floor.</b>
207	Chair Kruse	Closes the work session on SB 308 and opens a work session on SB 309.
<b><u>SB 309 WORK SESSION</u></b>		
221	Fred Olson	Institutional Revenue Manager, Office of Finance, Mental Health and Developmental Disabilities Services Division (MH/DDS), submits and presents written testimony in support of SB 309 ( <b>EXHIBIT N</b> ). States his office's support of the conceptual amendment.
248	Sylvia Caley	Oregon Advocacy Center (OAC) speaking for Bob Joondeph, Director, OAC. Submits and presents conceptual amendment ( <b>EXHIBIT O</b> ). Explains that the conceptual amendment clarifies the division's intent of SB 309 and avoids potential future misunderstanding.
258	Chair Kruse	Asks if all parties affected by the bill support the conceptual amendment.
260	Caley	Responds affirmatively.
<b>262</b>	<b>Rep. Lehman</b>	<b>MOTION: Moves to AMEND SB 309 on page 1, in line 9, after "erty," insert "with the consent of the person, the authorized representative of the person, or the decedent's estate".</b>
		<b>VOTE: 7-0</b>  <b>EXCUSED: 2 - Krummel, Close</b>
<b>275</b>	<b>Chair Kruse</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  <b>REP. LEHMAN will lead discussion on the floor.</b>
<b>278</b>	<b>Rep. Lehman</b>	<b>MOTION: Moves SB 309 to the floor with a DO PASS AS AMENDED recommendation.</b>

284	Rep. Krummel	Comments on his concern that the bill may encourage people to relinquish property to the state which will affect taxpayers in the future.
		<p><b>VOTE: 6-2</b></p> <p><b>AYE: 6 - Knopp, Lehman, Morrisette, Taylor, Winters, Kruse</b></p> <p><b>NAY: 2 - Close, Krummel</b></p> <p><b>EXCUSED: 1 - Piercy</b></p>
305	Chair Kruse	<p><b>The motion CARRIES.</b></p> <p><b>REP. LEHMAN will lead discussion on the floor.</b></p>
306	Chair Kruse	Closes the work session on SB 309 and opens a work session on SB 311.
<b><u>SB 311 WORK SESSION</u></b>		
315	Tina Kitchen	MH/DDS, DHR, submits and presents written testimony in support of SB 311 ( <b>EXHIBIT P</b> ).
344	Rep. Krummel	Asks if ODDS provides payment to care givers caring for disabled children in the child's home.
355	Kitchin	Responds affirmatively. Explains that the state uses general fund and Title XIX dollars.
363	Rep. Krummel	Asks if the family can find whomever they want to work with their child.
371	Kitchin	Responds affirmatively. Explains that background checks are conducted on potential care providers.
381	Rep. Winters	<b>MOTION: Moves SB 311 to the floor with a DO PASS recommendation.</b>
		<p><b>VOTE: 8-0</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p> <p><b>EXCUSED: 1 - Piercy</b></p>

394	Chair Kruse	<p><b>The motion CARRIES.</b></p> <p><b>REP. WINTERS will lead discussion on the floor.</b></p>
405	Chair Kruse	Closes the work session on SB 311 and opens a work session on SB 348.
<b><u>SB 348 WORK SESSION</u></b>		
415	Eriks Gabliks	Assistant Director, Department of Public Safety Standards and Training, submits and presents written testimony in support of SB 348 ( <b>EXHIBIT Q</b> ).
448	Rep. Lehman	Asks if the bill takes existing police and fire fighter standards and expands them to other safety professions.
450	Gabliks	Responds affirmatively.
451	Rep. Lehman	Asks why there were five "no" votes on the Senate floor.
455	Gabliks	Responds that there were wrong assumptions made regarding other state offices attached to the bill. Explains that the definition of "moral fitness" was debated.
473	<b>Rep. Lehman</b>	<b>MOTION: Moves SB 348 to the floor with a DO PASS recommendation.</b>
		<p><b>VOTE: 8-0</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p> <p><b>EXCUSED: 1 - Piercy</b></p>
502	Chair Kruse	<p><b>The motion CARRIES.</b></p> <p><b>REP. TAYLOR will lead discussion on the floor.</b></p>
505	Chair Kruse	Closes the work session on SB 348 and opens a work session on SJR 40.
<b>TAPE 99,A</b>		
<b><u>SJR 40 WORK SESSION</u></b>		

050	Grant Higginson	Deputy Administrator, Oregon Health Division (OHD), testifies in support of SJR 40. Explains that although Oregon is improving in its ability to immunize children, there is still a long way to go. States that seventy-five percent of two-year-olds are fully immunized. Discusses the registry system, Immunization Alert, which tracks children as they are immunized. Reports that all public clinics, and ninety percent of private clinics, participate in this registry system program.
077	Rep. Taylor	Asks if the bill is missing the word "with."
080	Higginson	Responds negatively. Explains that language referred to by Rep. Taylor recognizes participating organizations in the program.
085	Rep. LEHMAN:	<b>MOTION: Moves SJR 40 be sent to the floor with a BE ADOPTED recommendation.</b>
087	Rep. Close	Comments that one of the reasons that immunization statistics are low for young children is that breastfeeding mothers feel it is healthier for their children to wait until they are older before they are immunized.
		<b>VOTE: 8-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Piercy</b>
096	Chair Kruse	<b>The motion CARRIES.</b>  <b>REP. MORRISETTE will lead discussion on the floor.</b>
097	Chair Kruse	Closes the work session on SBJR 40 and opens a work session on SB 974.
<b><u>SB 974 WORK SESSION</u></b>		
107	Brian DeLashmutt	Oregon Nurses Association (ONA), submits written testimony from certified nurse-midwives (CNMs) ( <b>EXHIBIT R</b> ) and testifies in support of the bill.
121	Rep. Morrisette	<b>MOTION: Moves SB 974 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 8-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>



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**EXHIBIT SUMMARY**

- A ñ SB 821, written testimony, David Seibel, 3 pp.**
- B ñ SB 414A, written testimony, Howard (Rocky) King, 4 pp.**
- C ñ SB 516A, written testimony, Howard (Rocky) King, 2 pp.**
- D ñ SB 516-A4 amendments dated 5/20/99, Howard (Rocky) King, 1 p.**
- E ñ SB 1291, written testimony, Howard (Rocky) King, 1 p.**
- F ñ SB 1156A, written testimony of Adult and Family Services, Sen. Ted Ferrioli, 2 pp.**
- G ñ SB 210-A5 amendments dated 5/20/99, Insurance Division, 8 pp.**
- H - HB 3630, written testimony, Donalda Dodson, 3 pp.**
- I ñ HB 3630-1 amendments dated 5/18/99, Donalda Dodson, 2 pp.**
- J ñ SB 110-A4 amendments dated 5/20/99, Rep. Betsy Close, 2 pp.**
- K ñ SB 110A, written testimony, Eileen Rasmussen, 36 pp.**
- L ñ SB 110A, written testimony, Tom Olson, 2 pp.**
- M ñ SB 308, written testimony, Thomas Johnson, 3 pp.**
- N ñ SB 309, written testimony, Fred Olson, 1 p.**
- O ñ SB 309 conceptual amendment, Sylvia Caley, 1 p.**
- P ñ SB 311, written testimony, Tina Kitchin, 1 p.**
- Q ñ SB 348, written testimony, Eriks Gabliks, 2 pp.**
- R ñ SB 974, written testimony, Brian DeLashmutt, 3 pp.**