

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

March 1, 1999 Hearing Room B

8:00 AM Tapes 40 - 42

MEMBERS PRESENT:

Sen. Bill Fisher, Chair

Sen. Frank Shields, Vice-Chair

Sen. Susan Castillo

Sen. Verne Duncan

Sen. Marylin Shannon

STAFF PRESENT:

Sandy Thiele-Cirka, Administrator

Andrew Morris, Administrative Support

MEASURES HEARD:

Introduction of Committee Measures

SB 414 Public Hearing

SB 525 Public Hearing

SB 407 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
TAPE 40, A		
007	Chair Fisher	Calls meeting to order at 8:09 AM and opens work session to introduce committee measures.

INTRODUCTION OF COMMITTEE MEASURES

012	Sen. Duncan	MOTION: Moves LC 2975 BE INTRODUCED as a committee bill.
		VOTE: 5-0
Chair Fisher		Hearing no objection, declares the motion CARRIED. Closes work session to introduce committee measures and opens public hearing on SB 414.
		LC 2975 introduced as SB 906
<u>SB 414 PUBLIC HEARING</u>		
023	Glen Knickerbocker	Chair, Insurance Pool Governing Board (IPGB). Testifies in support of SB 414 (EXHIBIT A). Explains SB 414. States there has been a decline in the number of uninsured Oregonians. Explains the functions of the IPGB. States that the insurance industry has cooperated with the board.
073	Chair Fisher	Asks for a definition of certification.
078	Knickerbocker	Responds that certification is legal terminology. States the certification process is to select carriers to provide plans and market them.
101	Chair Fisher	Clarifies that people in the IPGB use specific insurance carriers.
106	Knickerbocker	Remarks that the people will move smoothly into the regular insurance program.
113	Sen. Duncan	Asks about how to obtain small group insurance.
117	Knickerbocker	Responds that an individual would go through an independent insurance agent.
126	Sen. Duncan	Asks if insurance agents are familiar with IPGB.
128	Knickerbocker	Responds affirmatively and, that a lot of time has been spent educating insurance agents.
135	Sen. Duncan	Asks if business owners know they are involved with the IPGB.

138	Knickerbocker	Responds affirmatively.
147	Rocky King	Administrator, IPGB. Testifies in support of SB 414 (EXHIBIT B). Explains that with the past legislation regulating insurance, the need for the IPGB to offer insurance to small employers is no longer needed. Points out the outline of transition in written testimony. States that few businesses would be at a disadvantage with SB 414. States that the insurance carriers support SB 414.
197	King	Presents an amendment that will allow for a 12 month transition rather than a six month period.
204	Sen. Castillo	Asks if the role of the board is to help small businesses find an insurance package.
218	King	Explains the role of the IPGB. States that in 1993 employer mandates were removed. States that in 1994 resources were received to complete the objectives.
266	King	Continues that the board will continue to assist people in obtaining insurance.
288	Chair Fisher	Closes public hearing on SB 414 and opens public hearing on SB 525.
<u>SB 525 PUBLIC HEARING</u>		
295	Sandy Thiele-Cirka	Explains SB 525 to the committee.
310	Chair Fisher	Testifies in support of SB 525. Explains the history of SB 525. States that there is a need to videotape interviews with Services to Children to and Families (SCF) to document potential. Comments that he is supportive of amendments. Remarks that parental signed contracts need to be reviewed, which courts have determined as inadmissible in court.
367	Nancy Miller	Director, Citizen Review Board. Explains the functions of the review board. Provides testimony regarding SB 525 (EXHIBIT C). Explains concerns about SB 525. States that videotaping would hinder case workers from doing their work.
TAPE 41, A		
000	Miller	Asks what would happen if the parent does not consent to being videotaped. Refers to Section 3 and 5 of the bill. Explains the service agreement process. States the review board reviews the service agreements and determines if all parties followed proper procedure.
055	Miller	Suggests that everything be documented, rather than videotaped. Explains the SCF has an internal grievance program, which was required by SB 689 (1997).

		States the grievance policy is very insulated and internal.
080	Sen. Duncan	Questions the role of an ombudsman who is located within the Human Resources Division.
085	Miller	Responds that a comprehensive review was conducted. States the task force recommended that the ombudsman's role be transferred to the Governor's advocacy office in the Department of Human Resources.
108	Sen. Duncan	States concerns regarding the ombudsman role.
112	Sen. Shields	Asks Miller to address Sections 2, 3, and 5, and the benefits of the bill.
123	Miller	Reiterates thorough documentation is more appropriate. Explains that videotaping could be damaging to all parties involved.
172	Chair Fisher	Discusses situations where parents are intimidated by SCF staff. States that parents are requesting the bill.
220	Chair Fisher	Relates a personal story relating to the inadequacies of service agreements.
250	Miller	Responds in agreement.
262	Sen. Shields	Points out that Sen. Fisher and Miller want to help the children.
270	Chair Fisher	States that the issue is how SCF conducts investigations and appropriate actions.
277	Sen. Shields	Asks if SCF could investigate any family.
278	Chair Fisher	Responds affirmatively, and cites a case.
353	Sen. Duncan	Remarks that the school should have assumed responsibility for the child during the interview.
365	Chair Fisher	Responds that the school was unaware of the actions by SCF.
390	Sarah Snyder	Oregon District Attorney Association. Testifies against SB 525 (EXHIBIT D). States the bill has problems. Explains that the bill does not define interviews and it does not state who would have access to the videotapes
TAPE 40, B		

000	Snyder	Discusses the potential fiscal impact. States that the bill would hinder SCF.
021	Sen. Shields	Asks how the association would suggest handle inappropriate actions by SCF.
028	Snyder	Responds that a bill that would allow for parents to have legal representation.
048	Chair Fisher	Explains the bill relates to specific cases. States that he is supports SCF protecting children.
101	Chair Fisher	Asks why an observer must have permission from SCF before attending a court hearing.
115	Snyder	Responds that the district attorney is not involved in that process. Explains that the if the district attorney did proper trial preparation with the SCF caseworker, they would not be in a position to disagree with the case worker. States that she does not always agree with SCF, but that she works with the caseworker for the best interest of the parties involved.
142	Sen. Shannon	Relates a personal story. Asks if videotaping could be conducted without the parentis permission.
161	Snyder	Responds that she does not have that information.
192	Chair Fisher	States that videotaping is necessary to document what happens in the initial interview.
230	Claude Dern	Testifies in support of SB 525 (EXHIBIT E). States that the bill is needed to prevent abuses by SCF. Notes that these records are necessary for court.
265	Victor Congleton	SCF. Testifies in opposition to SB 525 (EXHIBIT F). States the bill is disruptive for SCF. Refers to Section 5 which conflicts with current statute.
330	Sen. Shields	Relates a possible scenario. Questions alternative methods that SCF could utilize to create accurate records.
375	Congleton	Responds that he does not have an alternative suggestion. States that SCF cannot take action without a court order.
394	Sen. Shields	Asks about the document people are forced to sign.
404	Congleton	Responds that he is unsure of the specific document. Explains that an agreement is made when the child is not from the home, but their safety might be a concern.

TAPE 41, B

000	Chair Fisher	Refers to the agreement.
010	Sen. Shields	States that if a parent is forced to sign a document in order to keep their child, they probably would.
020	Congleton	States the document would probably be drafted locally.
025	Sen. Duncan	Comments that he understands the concern regarding videotaping.
047	Sen. Shannon	States support of SB 525. Comments that videotaping would protect the parents from SCF. Comments that the whole SCF system needs to be renewed and evaluated.
073	Chair Fisher	States there needs to more supervision within SCF. Questions the discipline procedure for inappropriate actions by caseworkers.
127	Sen. Shannon	Questions sexual abuse in foster homes.
135	Congleton	Responds to Sen. Shannon that a foster home is reviewed at higher standards. Responds to Chair Fisher that there are 800 caseworkers in the state, and agrees that more supervision is needed. States that SCF takes disciplinary action very seriously.
168	Sen. Shields	Asks if Congleton has had reservations about employees.
172	Congleton	Responds affirmatively. States that feedback and training are very important. Concludes with remarks regarding a report conducted by Portland State which states that 2/3 of the people surveyed were satisfied with SCF services. Notes that the key to resolution is that parents have rights.
215	Sen. Shields	Asks about forcing parents to sign a document in order to keep their children.
222	Congleton	Responds that there are times when agreements are necessary to provide safety for children.
246	Dave Thomas	Oregon Chapter of the National Association of Social Workers. Testifies in opposition SB 525. States that it is not clear who the neutral representative would be. Comments that the issue of confidentiality is not addressed. Notes concern relating to Section 5 of the bill.
357	Vice-Chair Shields	Closes public hearing on SB 525.

366	Chair Fisher	Opens public hearing on SB 407.
<u>SB 407 PUBLIC HEARING</u>		
384	Dianne Lancaster	Assistant Administrator, SCF. Testifies in support of SB 407 (EXHIBIT G) . States the bill proposes keeping names, addresses, and telephone numbers of foster parents confidential. States that foster parent confidentiality is necessary to protect the safety of all parties.
TAPE 42, A		
000	Don Darland	Oregon Foster Parent Association. States that the association supports SB 407. Comments that foster parents work with the biological parents on the average, but there are times when parents become violent.
020	Sen. Castillo	Asks why not work on a case by case basis.
030	Darland	Responds that if a foster family is called in the middle of the night there may not be time to have the case cleared.
061	Miller	Testifies in support of SB 407. States that if a mistake is made, it needs to be on the safe side. States that human behavior can not be predicted and foster parents need to be protected.
079	Chair Fisher	Relates a personal story.
134	Chair Fisher	Closes public hearing on SB 407 and adjourns the meeting at 10:13 AM.

Submitted By, Reviewed By,

Andrew Morris, Sandy Thiele-Cirka,
Administrative Support Administrator

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EXHIBIT SUMMARY

A ñ SB 414, Written testimony and IPGB health benefit plan summary, Glen

Knickerbocker, 8 pp

B ñ SB 414, Written testimony and program overview, IBGB, Rocky King, 38 pp

C ñ SB 525, Written testimony, Citizen Review Board, Nancy Miller, 3 pp

D ñ SB 525, Written testimony, Oregon District Attorney Association, Sarah Snyder, 2 pp

E ñ SB 525, Federal statute, Claude Dern, 2 pp

F ñ SB 525, Written testimony, SCF, Victor Congleton, 4 pp

G ñ SB 407, Written testimony, SCF, Dianne Lancaster, 4 pp