

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

March 22, 1999 Hearing Room B

8:00 AM Tapes 59 - 60

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:

SB 303 Public Hearing

SB 744 Public Hearing

SB 421 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
TAPE 59, A		
003	Chair Fisher	Calls meeting to order at 8:11 AM and opens a public hearing on SB 303.

SB 303 PUBLIC HEARING

007	Gary Weeks	Director, Department of Human Resources (DHR). Testifies in support of SB 303. States the bill authorizes the director of DHR the same power as other division directors. States the department is a service-orientated division, and that DHR receives many calls relating to employment due to the title of the agency. States the bill allows the name change to take effect July 1, 2000 to minimize expense.
062	Weeks	States the costs of changing the name would be minimal.
070	Sen. Shannon	Asks if the assistant director, who is appointed by the Governor, has Senate confirmation.
076	Weeks	Responds no. States that Section 4 removes the four year term for the director. Notes that he has received Senate confirmation seven times.
113	Sen. Castillo	Asks why the four year term limit is in place.
116	Weeks	Responds that he is unsure, but the limits were established in 1971. Reviews Section 6 of the bill. Provides departmental background and structure. Comments the bill also gives the director the authority to appoint and award service contracts.
188	Weeks	States that the attorney general's office has instructed the department that they do not have the authority to implement specific programs.
214	Chair Fisher	Asks if monetary changes would be reported to the legislature.
218	Weeks	Responds they would, the bill does not change the reporting procedures and the department would continue to balance their budget every six months. Continues review of the bill. Notes that the naming of assistant directors or directors does not have a fiscal impact.
270	Weeks	Concludes testimony.
294	Anjala Ehelebe	Advisory Council to the Vocational Rehabilitation Department (VRD). Testifies in opposition to SB 303. States the bill has many impacts. Describes the composition of the advisory council.
351	Ehelebe	States that the council evaluates VRD. States concerns with SB 303. States the bill could eliminate the opportunity for advocates.
382	Sen. Duncan	Asks what would be different.

388	Ehelebe	Responds that Weeks would be allowed to make independent policy decisions.
408	Sen. Duncan	Requests clarification of current practices.
412	Ehelebe	Provides a personal story relating to transportation of disabled people. States that SB 303 would allow the director to make policy decisions regarding how transportation is implemented.
450	Chair Fisher	Comments that SB 303 provides the same authority to the director as other division.
TAPE 60, A		
000	Ehelebe	States that federal statute authorizes the advisory council statutory authority and the ability to approve federal funding for the VRD.
010	Kem Marks	Director, Oregon Client Assistance Program. Testifies in opposition to SB 303. States that quarterly meetings are held where the VRD executive staff attends. States that SB 303 reduces the council's authority.
025	Chair Fisher	Points out line 21 of page 3. Reiterates the director retains the same authority and would abide by the same rules as other division directors.
036	Marks	Notes concerns relating to how the bill will be implemented.
038	Ehelebe	States the bill is necessary, but requests amendments. States that VRD does not have adequate staff to complete evaluations, and the bill could reduce staffing levels.
061	Ruthanne Cox Carother	VRD Advisory Council. States that one in four people will become disabled before retirement and notes that it is important the legislative process be involved in policy making. States that funds from the federal government are specific in how they are to be spent.
090	Chair Fisher	Comments that there have been past problems with division heads mishandling money.
100	Ehelebe	States the council is working with VRD on budgeting.
118	Marks	Provides background on the nature of services. States the Rehabilitation Act is to reduce misuse of rehabilitation funding. States the act requires each agency employ a director. States concerns regarding resource issues.
175	Chair Fisher	Asks how the bill would excuse the director from following federal guidelines.

185	Marks	Responds that if the VRD followed all of the federal guidelines, he would not have a job.
191	Chair Fisher	States that the bill would enhance the current situation.
205	Marks	Remarks that he has the authority to represent clients against VRD.
228	Sen. Castillo	Asks how many lawsuits have been filed against VRD.
240	Marks	Responds that he has not filed any law suits, but has represented individuals facing the VRD. States he is currently representing two individuals.
261	Ehelebe	Notes that cases challenging VRD decisions are decreasing.
300	Marks	States the bill allows the director to shift funds without approval.
340	Chair Fisher	Closes public hearing on SB 303 and opens work session on SB 421.
<u>SB 421 WORK SESSION</u>		
350	David Nebel	Representing the Citizens Coalition of Quality Long Term Care. States that he supports the ñ2 amendments, which deletes immunity language. States the bill does not help providers in suing people who make unsubstantiated complaints.
400	Nebel	Continues testimony relating immunity. States that SB 421 clouds the issue and makes it more difficult for people to sue.
445	Chair Fisher	States he does not see how the bill would make the law less clear.
TAPE 59, B		
000	Nebel	Responds that people can currently sue others for making false complaints. Notes that the bill is ineffective.
010	Sen. Shields	Looks at page 2, lines 4 through 6. Asks if people not participating in good faith would not have immunity under the bill.
017	Nebel	Responds affirmatively.
019	Sen. Shields	Questions if lines 4 through 6 negate necessity for lines 8 through 10.

021	Nebel	Responds affirmatively.
026	John Mullin	Director, Clackamas County Social Services. Opposes SB 421 as written, notes support of the ñ2 amendments.
040	Chair Fisher	Refers to and introduces a letter from the Alzheimerís Association (EXHIBIT A).
053	Sen. Shields	Points out that the association would support the ñ2 amendments.
071	Chair Fisher	Closes work session on SB 421 and opens public hearing on SB 744.
<u>SB 744 PUBLIC HEARING</u>		
100	Sen. Kate Brown	Senate District 7. Testifies in support of SB 744 (EXHIBIT B). States that breast feeding is very important in the development of infants. States that Oregon has a high breast feeding rate. States that 22 states have similar legislation.
137	Gilda Lorenson, M.D.	Physician. Supports SB 744 (EXHIBIT C). Relates medical studies regarding breast feeding. Reviews history of human lactation.
200	Lorenson	Explains cultural nursing practices. States that many women quit breast feeding because of cultural reasons. Comments that more assertive women are comfortable with breast feeding in public, and that the youngest and poorest families need help with breast feeding awareness.
273	Chair Fisher	Asks if there is a current law regarding breast feeding.
276	Sen. Brown	Responds no.
289	Sen. Rick Metzger	Senate District 14. Testifies in support of SB 744. States that it is important that the Senate recognize and support nursing mothers and families.
340	Tera Hart-Roberts	Mother. Supports SB 744 (EXHIBIT D). Relates personal experience of harassment. States that the experience was humiliating. Notes support of a clear message to mothers.
400	Hart-Roberts	Concludes that it is necessary to protect children and mothers.
422	Sen. Shannon	States that it is important to educate women to act on their rights. States that laws cannot be passed to make people polite or smart.
TAPE 60, B		

000	Sen. Shannon	Comments in support of breast feeding awareness month.
020	Sen. Ginny Burdick	Senate District 6. Testifies in support of SB 744. States that mothers want to nurse longer, but psychological and cultural barriers exist.
062	Kate Grosswiler	Sen. Burdick's daughter. Testifies in support of SB 744. States that breast feeding is important.
085	Heather Ring	Mother. Testifies in support of SB 744 (EXHIBIT E). Relates personal story.
127	Donalda Dodson	Center for Child and Family Health, Oregon Health Division. Presents testimony in support of SB 744 (EXHIBIT F). States that there are many benefits for breast feeding. Comments that breast feeding promotes healthier babies which in turn can save money for the Oregon Health Plan.
170	Sen. Shields	States that the savings to the Oregon Health Plan is important.
186	Martha Johnson	Registered Nurse, Peace Health Medical Group. Testifies in support of SB 744 (EXHIBIT G). Reiterates the benefits and potential cost savings. States that if WIC mothers breast fed the nation would save \$9.2 million dollars a month.
240	Johnson	Summarizes that when mothers feel comfortable breast feeding, they will do it for a longer period of time.
262	Sen. Duncan	States that the education process is important for men also.
277	Sen. Brown	Thanks the committee for hearing the bill.
301	Dixie Whetsell	Lactician Consultant. Testifies in support of SB 744 (EXHIBIT H). States many people worked on the legislation to bring it to the committee.
312	Chair Fisher	Closes public hearing SB 744 and adjourns the meeting at 10:01 AM.

Submitted By, Reviewed By,

Andrew Morris, Sandy Thiele-Cirka,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 421, Submitted letter, Alzheimerís Association, Staff, 1 p

B ñ SB 744, Fact sheet, Senator Kate Brown, 2 pp

C ñ SB 744, Written testimony and article, Gilda Lorensen, 7 pp

D ñ SB 744, Written testimony, Tera LaRay Hart-Roberts, 2 pp

E ñ SB 744, Written testimony, Heather Ring, 1 pp

F ñ SB 744, Written testimony, Oregon Health Division, Donalda Dodson, 2 pp

G ñ SB 744, Written testimony, Martha Johnson, 10 pp

H ñ SB 744, Written testimony, Dixie Whetsell, 2 pp