

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

March 3, 1999 Hearing Room B

8:00 AM Tapes 45 - 46

MEMBERS PRESENT:

Sen. Bill Fisher, Chair

Sen. Frank Shields, Vice-Chair

Sen. Susan Castillo

Sen. Verne Duncan

Sen. Marylin Shannon

MEMBERS EXCUSED:

Sen. Marylin Shannon

STAFF PRESENT:

Sandy Thiele-Cirka, Administrator

Andrew Morris, Administrative Support

MEASURES HEARD:

Introduction of Committee Measures

SB 314 Public Hearing and Work Session

SB 386 Public Hearing and Work Session

SB 565 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 45, A		

004	Chair Fisher	Calls meeting to order at 8:09 AM and opens work session to introduce committee bills.
<u>WORK SESSION INTRODUCTION OF MEASURES</u>		
010	Sandy Thiele-Cirka	Explains LC 2976 and LC 3966 to the committee.
022	Sen. Castillo	MOTION: Moves LC 2976, and LC 3966, both dated 3/1/99 BE INTRODUCED as committee bills.
027		VOTE: 4-0 AYE: 4 - Castillo, Duncan, Shields, Fisher EXCUSED: 1 ñ Shannon
	Chair Fisher	Hearing no objection declares the motion carried.
		LC 2976 introduced as SB 1037 and LC 3966 introduced as SB 22.
030	Cirka	Explains LC 3934 to the committee.
043	Sen. Duncan	MOTION: Moves LC 3934 Dated 2/26/99 BE INTRODUCED as a committee bill.
060		VOTE: 4-0 AYE: 4 - Castillo, Duncan, Shields, Fisher EXCUSED: 1 ñ Shannon
	Chair Fisher	Hearing no objection declares the motion carried.
		LC 3934 introduced as SJM 8.
060	Chair Fisher	Closes work session and opens public hearing on SB 314.
<u>SB 314 PUBLIC HEARING</u>		
067	Cirka	Explains SB 314 to the committee.

073	Sandy Hoback	Administrator, Adult and Family Services. Testifies in support of SB 314. States that the goal of the bill is to delete welfare language. SB 314 is requesting the increase of term limits for commission members.
091	Shirley Capping	Board Member, Adult and Family Services Commission. Testifies in support of SB 314. States that the commissioners need longer times to serve.
104	Sen. Shields	Describes the process of how the new language came about.
124	Chair Fisher	Comments in support of increasing term limits. Closes public hearing on SB 314 and opens work session for SB 314.
<u>SB 314 WORK SESSION</u>		
148	Sen. Shields	Declares possible conflict of interest because he is a board member of the Adult and Family Services Commission.
150	Sen. Shields	MOTION: Moves SB 314 to the floor with a DO PASS recommendation.
168		VOTE: 4-0 AYE: 4 - Castillo, Duncan, Shields, Fisher EXCUSED: 1 - Shannon
	Chair Fisher	The motion CARRIES. SEN. SHIELDS will lead discussion on the floor.
170	Chair Fisher	Closes work session on SB 314 and opens public hearing on SB 386.
<u>SB 386 PUBLIC HEARING</u>		
173	Cirka	Explains SB 386 to the committee.
175	Jeffrey J. Wahl	Assistant Attorney General, Department of Justice. Testifies in support of SB 386 (EXHIBIT A). States that the bill allows Mental Health and Developmentally Disabled Services Division (MHDDSD) to act as an advocate for disabled persons when purchasing private property. Concludes that SB 386 protects the rights guaranteed to all Oregonians.

250	Bob Joondeph	Director, Oregon Advocacy Center. Testifies in support of SB 386. Compares discrimination against disabled persons to that of racial discrimination. States that the Fair Housing Act states that discrimination is illegal in the involvement of selling real property. Explains the process of claiming discrimination is lengthy and involved. States that the bill will save money because it avoids needing to go through unneeded steps.
295	Jack Morgan	Office of Developmental Disabilities Services. Testifies in support of SB 386. States the bill is not creating new statutes, but will grant the division authority.
301	Chair Fisher	Questions the amount of discrimination suits filed..
313	Morgan	Responds there is not specific data, but it happens a couple of times per biennium. Notes that it is a problem when it occurs.
317	Chair Fisher	Questions if the bill could be used to claim discrimination if the department offers an unfair price for the property.
346	Morgan	Responds no.
355	Chair Fisher	Questions the disclosure process of who is purchasing and who will live on the property.
362	Morgan	Responds that the division does not hide what the purchase will be used for.
371	Chair Fisher	Questions how federal guidelines effect Oregon statutes.
380	Wahl	Responds that Oregon law is modeled after federal law and that Oregon's laws are stricter than the federal laws.
394	Chair Fisher	Asks why the Bureau of Labor and Industries is the oversight board.
419	Wahl	Responds that it is in current statute.
TAPE 46, A		
024	Morgan	States the mission of the agency is to provide services to clients and not find housing for individual clients.
027	Chair Fisher	Clarifies that the agency works with structured housing.
035	Paul Tiffany	Bureau of Labor and Industries. States the Bureau supports the bill and notes the fiscal impact will be minimal.

066	Chair Fisher	Closes public hearing on SB 386 and opens work session on SB 386.
<u>SB 386 WORK SESSION</u>		
084	Sen. Duncan	MOTION: Moves SB 386 to the floor with a DO PASS recommendation.
086		VOTE: 4-0 AYE: 4 - Castillo, Duncan, Shields, Fisher EXCUSED: 1 - Shannon
	Chair Fisher	The motion CARRIES. SEN. DUNCAN will lead discussion on the floor.
100	Chair Fisher	Closes work session on SB 386 and opens public hearing on SB 565.
<u>SB 565 PUBLIC HEARING</u>		
103	Cirka	Summarizes SB 565 to the committee.
113	Tamara Dykeman	Oregon Community College Association. Testifies in support of SB 565 (EXHIBIT B). States that the bill adds community colleges to the public bodies that can pursue self insurance. Comments that last session school districts were added to the list of entities that could provide self insurance, but community colleges were left out. Notes that the community colleges need to meet the same requirements as public bodies.
120	Jerry Donnelly	Director of Human Resources, Portland Community College (PCC). Testifies in support of SB 565 (EXHIBIT C). States the bill provides the option of community colleges to operate self insurance programs.
134	Chair Fisher	Questions the number of community colleges that have over 1,000 employees.
165	Donnelly	Responds two.
170	Dykeman	States that only PCC and Lane Community College would qualify to be self insurers.

184	Bruce Bishop	Representing Kaiser Permanente. States Kaiser Permanente is neutral on SB 565. Refers to ORS 332.342, the omission of medical services. Asks the committee to consider current statutes.
201	Chair Fisher	Asks if school districts are limited to what coverage they currently offer.
224	Bishop	Responds they are under current law.
226	Chair Fisher	Questions what the advantage of offering remedial and hospital care would be.
230	Bishop	Responds that if school districts are offering medical coverage, it is be outside the boundaries of current law.
235	Sen. Shields	Asks if school districts have had problems.
237	Bishop	Responds that he does not have that information.
251	Sen. Duncan	States support of SB 565.
274	Chair Fisher	Asks how SB 565 impacts students.
287	Dykeman	Responds that students employed by the college would be covered.
292	Chair Fisher	Discusses insurance coverage for athletes.
311	Dykeman	States it was the understanding of the community colleges that they would be able to self insure in the same manner as municipalities.
325	Chair Fisher	Discusses options of amending the bill.
340	Dykeman	States that they would like the bill to pass this session.
387	Chair Fisher	Asks Dykeman and Donnelly to work with staff to draft amendments. Closes public hearing and adjourns the meeting at 9:05 AM.

Submitted By, Reviewed By,

Andrew Morris, Sandy Thiele-Cirka,
Administrative Support Administrator

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EXHIBIT SUMMARY

A ñ SB 386, Written testimony, Department of Justice, Jeffrey Wahl, 1 p

**B ñ SB 565, Written testimony, Oregon Community College Association,
Tamara Dykeman, 1 p**

C ñ SB 565, Written testimony, Portland Community College, Jerry Donnelly, 1 p