

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

March 31, 1999 Hearing Room B

8:00 AM Tapes 69 - 71

MEMBERS PRESENT:

Sen. Bill Fisher, Chair

Sen. Frank Shields, Vice-Chair

Sen. Verne Duncan

Sen. Marylin Shannon

MEMBER EXCUSED:

Sen. Susan Castillo

STAFF PRESENT:

Sandy Thiele-Cirka, Administrator

Andrew Morris, Administrative Support

MEASURES HEARD:

SB 407 Public Hearing and Work Session

SB 821 Public Hearing and Work Session

SB 906 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 69, A		

004	Chair Fisher	Calls meeting to order at 8:13 AM and opens public hearing on SB 407.
<u>SB 407 PUBLIC HEARING</u>		
010	Sandy Thiele-Cirka	Committee Administrator. Explains SB 407 to the committee.
019	Don Darland	Oregon Foster Parents Association. Testifies in support of SB 407 (EXHIBIT A). Explains foster parenting and the associated risks. Notes that SB 407 will be good for recruitment and retention.
048	Chair Fisher	Asks if the biological parent hired a private detective, could there be any consequences.
051	Darland	Responds no.
055	Chair Fisher	Relates a personal story of information being kept confidential and the negative impacts. States there is need to protect people, and notes concerns.
116	Darland	Responds it is the agency's job to work with the biological parents. States that 90 percent of the time there are no problems. Comments the media has full access to records of foster homes.
158	Chair Fisher	Comments in support of the bill.
169	Sen. Duncan	Discusses concerns for foster home safety.
185	Carolyn Graff, MSW	Manager, Transitional Resource Unit, Services to Children and Families (SCF). States that the department works with the parents.
200	Kathie Osborn	Representing Juvenile Rights Project (JRP). Gives background of the organization. States the project is not opposed to the bill, but notes concerns. States that SCF currently has the ability to maintain foster home confidentiality. States that JRP visits the children in the foster home, and it could be a problem if the information was confidential.
240	Chair Fisher	Asks if the attorneys are state appointed.
243	Osborn	Responds affirmatively, and comments they are appointed to represent the children. States there is a problem of children being moved without notification.
260	Sen. Duncan	Asks why a foster parent would not want the JRP to visit.
267	Osborn	Explains the JRP directly represents the children.

279	Chair Fisher	Questions if visitation and inspection of foster homes would be for a particular client.
282	Osborn	Responds affirmatively. Responds to Sen. Duncan that she is unsure why they would not want the attorneys to visit. States that foster parents often have a lot of visitors which is frustrating for them.
305	Sen. Duncan	States the bill reads "to protect the best interest of the child" and asks why the agency would get in the way.
318	Osborn	Responds the JRP is concerned about SCF's abuse of power. States that SCF caseworkers can be a barrier for JRP.
339	Chair Fisher	States the bill protects the foster family. Comments in support of proposing a bill that would protect the rights of the child's attorney.
357	Osborn	States the JRP does not oppose the bill, but is concerned about potential problems it could create.
381	Sen. Shields	Discusses an amendment stating that SCF must provide information to other court-appointed representatives. Reiterates it is important for the child to have access to their attorney.
404	Chair Fisher	Questions if Osborn has ever been denied a visit.
419	Osborn	Responds there have been instances where the JRP has had to go through the SCF supervisor to locate the child.
436	Diane Lancaster	Assistant Administrator, SCF. States that the child's attorney has access to the child. States the SCF always works with the attorneys for the children.
455	Sen. Shields	Recommends that SCF administration inform caseworkers that the child's attorney has the right to access the child.
TAPE 70, A		
007	Lancaster	Responds SCF will change administrative rules allowing children's attorneys full access to the child.
015	Sen. Duncan	Asks Osborn and Lancaster to meet and work out problematic situations.
022	Chair Fisher	Closes the public hearing on SB 407 and opens a work session on SB 407.

SB 407 WORK SESSION

027	Sen. Duncan	MOTION: Moves SB 407 to the floor with a DO PASS recommendation.
033	Sen. Shields	Asks Lancaster to keep the committee updated on information regarding attorney access for children, through a letter to the committee administrator.
038		VOTE: 3-0 AYE: 3 - Duncan, Shields, Fisher EXCUSED: 2 - Castillo, Shannon
	Chair Fisher	The motion CARRIES. SEN. DUNCAN will lead discussion on the floor.
042	Chair Fisher	Closes work session on SB 407 and opens a public hearing on SB 821.

SB 821 PUBLIC HEARING

054	David Seibel, M.D.	Radiologist, Past President Douglas County Medical Society. Presents testimony in support of SB 821 (EXHIBIT B). Relates personal story of a hospital Chief Executive Officer (CEO) threatening to revoke privileges for doctors to treat at two different hospitals. Notes that the bill does not impose limits on hospitals.
130	Scott Gallant	Representing Oregon Medical Association. Testifies in support of SB 821 (EXHIBIT C). States the bill will not harm hospitals.
172	Ed Patterson	Oregon Association of Hospital and Health Systems (OAHHS). States the association is neutral on SB 821.
224	Chair Fisher	Relates awareness of existing problem between hospitals in Roseburg.
240	Patterson	Responds that the bill has an impact on the relationships between hospitals. States the language in the bill is not objectionable regarding the wording of "solely." Notes concerns with the impact on public policy.
305	Sen. Shields	Asks if the bill could impact hospital services.

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311	Patterson	Responds that the bill could cause disruption within the medical community.
330	Sen. Shields	Asks if the hospital could give other reasons for not allowing a doctor to practice.
332	Patterson	Responds affirmatively, and relates a possible situation.
397	Sen. Duncan	Questions if the Portland hospitals would be affected.
419	Patterson	Comments the statute is not necessary. Comments there could be problems regarding hospitals in an urban settings.
TAPE 69, B		
000	Patterson	Notes the association has not evaluated if problems will occur if the bill passes.
028	Sen. Shields	Questions the frequency of this type of situation.
032	Patterson	States the Roseburg hospitals are aware of the bill. Notes the problem with passing legislation that deals with isolated issues. States the law would affect every hospital and health system in Oregon.
057	Chair Fisher	Closes the public hearing on SB 821 and opens work session on SB 821.
<u>SB 821 WORK SESSION</u>		
063	Sen. Shields	Asks if the concern could be addressed in administrative rules.
067	Gallant	Responds no, it could not be written into administrative rules. States the bill sets a fair standard for physicians.
102	Sen. Duncan	Notes support for the bill.
114	Sen. Shields	MOTION: Moves SB 821 to the floor with a DO PASS recommendation.
118	Sen. Shannon	Notes support of SB 821.
122		VOTE: 4-0 AYE: 4 n Duncan, Shannon, Shields, Fisher

		EXCUSED: 1 ñ Castillo
	Chair Fisher	The motion CARRIES. SEN. FISHER will lead discussion on the floor.
133	Chair Fisher	Closes public hearing on SB 821 and opens public hearing on SB 906.
<u>SB 906 PUBLIC HEARING</u>		
143	Gallant	Testifies in support of SB 906. Presents a submitted letter to the committee (EXHIBIT D) . Discusses the issue of patients arriving for appointments and the doctor's offices are not aware the patients have been assigned to them.
171	Tom Sadoris, M.D.	Internist. Testifies in support of SB 906. States he is on staff at all Portland hospitals. States the bill would require the Oregon Health Plan to notify providers of assignment within 72 hours. Comments that there is a feeling among providers that notification could promote intervention of acute diseases. States that SB 906 could improve care and the doctor/patient relationship.
222	Sadoris	Comments on the benefits of people enrolling in the Oregon Health Plan before emergencies arise.
289	Sadoris	Discusses the negative impact of physicians not knowing who has been assigned to them.
358	Sadoris	Comments that Regence Blue Cross/Blue Shield does not distinguish between OHP patients and other type of enrollees.
412	Sadoris	Continues testimony.
TAPE 70, B		
000	Sadoris	Comments on the difficulty of not knowing which patients are enrolled in the OHP.
053	Sadoris	Discusses insufficiencies of insurance companies.
057	Gallant	States that often times patients will go to the hospital first and then go to the physician.

068	Chair Fisher	States he is trying to get to the bottom of the problem.
080	Gallant	States that enrollees have 20 to 30 days to choose a primary care physician.
094	Saddoris	Comments on needed improvements.
151	Chair Fisher	Asks if the technology is available for doctors to up-link their computers with those of the insurance companies.
156	Gallant	Responds that the process is ongoing. States that companies are developing computer systems to make information attainable.
175	Saddoris	States that the large hospitals have computer systems, but the people who work outside of the hospital do not have system access. Points out problems with reimbursement for OHP enrollees.
243	John Powell	Representing Regence Blue Cross/Blue Shield. Testifies in opposition to SB 906. Remarks that a monthly update is provided to doctors. Discusses the financial impact of the bill. Comments that there are technical problems with the bill. Comments the 72-hour time period needs to be adjusted.
334	Chair Fisher	Asks if the 72-hour deadlines include holidays and weekends.
337	Powell	Responds affirmatively.
340	Chair Fisher	Asks how the enrollment roster is generated.
354	Powell	Responds he is unsure of how it is done. States they carry contracts with 98 percent of health care providers.
379	Sen. Shields	Comments on the need to improve the system.
390	Powell	Responds in agreement.
396	Sen. Shields	Asks Powell to provide suggestions for improvement.
405	Powell	States there are many issues associated with the Oregon Health Plan. States he is not sure how the data could be transferred to doctor's offices.
420	Mike Dewey	Representing ODS Health Plans. Notes that meetings have been occurring to reduce spending and achieve better services within the Oregon Health Plan.

TAPE 71, A

000	Glen Rodriguez	Physician, Providence Health. Testifies in opposition to SB 906. States the bill would increase costs and does not solve the problem. States the time limits would make the information more unreliable.
031	Chair Fisher	Asks if people need 20 days to choose a primary care physician.
033	Rodriguez	Responds affirmatively.
037	Dave Fiskum	Representing Providence Health. Testifies against SB 906. States the bill does not solve the problem of timely notification.
054	Chair Fisher	Comments that a problem exists and it needs to be reviewed.
117	Chair Fisher	Closes public hearing on SB 906 and adjourns the meeting at 10:20 AM.

Submitted By, Reviewed By,

Andrew Morris, Sandy Thiele-Cirka,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 407, Written testimony, Oregon Foster Parents Association, Don Darland, 1 p

B ñ SB 821, Written testimony, Douglas County Medical Association, David Seibel, 2 pp

C ñ SB 821, Letter from John Hoggard, OMA, Scott Gallant, 1 p

D ñ SB 906, Letter from John Hoggard, OMA, Scott Gallant, 1 p