

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

April 19, 1999 Hearing Room B

8:00 AM Tapes 90 - 92

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 Work Session

SB 610 Public Hearing SB 1140 Public Hearing and Work Session

SB 1141 Public Hearing SB 1027 Public Hearing

SB 1158 Public Hearing and Work Session

SB 1290 Public Hearing

SB 1027 Public Hearing

SB 1029 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 90, A		

004	Chair Fisher	Calls meeting to order at 8:11 AM and opens a work session on SB 303.
<u>SB 303 WORK SESSION</u>		
010	Gary Weeks	Director, Department of Human Resources (DHR). Testifies in support of SB 303 (EXHIBIT A). States the bill would not have a fiscal impact. Discusses the bill which allows for the director to reorganize the department, which is the same authority that current division directors have. Refers to (EXHIBIT A) and letters showing support.
050	Weeks	States the bill does not contain language which would jeopardize federal funding. Explains the amendments to the committee.
100	Chair Fisher	Asks if the ñ1, -2, and -3 amendments need to be included in the bill.
105	Weeks	Responds the ñ3 amendment incorporates the ñ1 and ñ2 amendments.
114	Sen. Duncan	Acknowledges support for the bill. Comments that department managers need to have the ability to reorganize within the limits of the law.
126	Weeks	States that there have been reservations in deleting the clause requiring DHR to address the Emergency Board to make changes.
143	Sen. Castillo	Comments that the bill is a form of micromanaging, but supports it.
151	Charlotte Duncan	Oregon Developmental Disabilities Council. Testifies in support of SB 303 (EXHIBIT B). States that inconsistencies exist in DHR. Comments that the bill could promote a greater efficiency to serve people. States support for the proposed amendments. Notes that directors need legislative oversight before making major changes.
201	Anjala Ehelebe	Representative State Rehabilitation Council. States support for the bill with the ñ3 amendment. Notes that the ñ3 amendment address the concerns of the council.
227	Sen. Shannon	Asks if the Federation for the Blind oppose the bill.
230	Ehelebe	Responds she does not have that information.
240	Chair Fisher	Refers to (EXHIBIT A) and lists the groups who support SB 303.
257	Sen. Duncan	MOTION: Moves to ADOPT SB 303-3 amendments dated 4/16/99.

	Chair Fisher	Hearing no objection, declares the motion CARRIED .
263	Sen. Duncan	MOTION: Moves SB 303 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0 AYE: 5 - Castillo, Duncan, Shannon, Shields, Fisher
		Chair Fisher The motion CARRIES. SEN. DUNCAN will lead discussion on the floor.
277	Chair Fisher	Closes work session on SB 303 and opens a public hearing on SB 610.
<u>SB 610 PUBLIC HEARING</u>		
285	Tim Kral	Director, Oregon Rehabilitation Association. Testifies in support of SB 610 (EXHIBIT C). States the bill improves the funding process to providers after contracts are signed.
309	Mike McCracken	Representing the Association of Community Mental Programs. Testifies in support of SB 610. States that changes are needed, due to legislation passed in 1997.
350	Chair Fisher	Asks if the ñ1 amendment have been reviewed.
351	McCracken	Responds affirmatively.
354	Jack Morgan	Deputy, Developmental Disabilities Services, Mental Health and Development Disability Services Division. Testifies in support of SB 610. States that multiple agencies have been involved with the bill. Requests additional time to address concerns.
393	Chair Fisher	Closes public hearing on SB 610 and opens a public hearing on SB 1140.
<u>SB 1140 PUBLIC HEARING</u>		
420	Simon Paquette, M.S.W.	Social Worker. Testifies in support of SB 1140 (EXHIBIT I). Relates a personal experience and discusses the need for proper pain management.
TAPE 91, A		

000	Paquette	Continues testimony in support of SB 1140. Relates examples of insufficiencies of doctors and patients. States that intractable pain can affect anyone.
049	Sen. Joan Dukes	Senate District 1. Testifies in support of SB 1140 (EXHIBIT D). States the bill establishes a demonstration project in an urban and rural community. Notes the bill does not require any state funds.
092	Margaret Murphy-Carley	Counsel, Oregon Health Care Association (OHCA). Testifies in support of SB 1140 (EXHIBIT E). States Oregon Medical Assistance Program (OMAP) would administer the project. States the bill would save money and provide training for physicians and staff to deal with chronic pain.
120	Ellie Jenny	Testifies in support of SB 1140 (EXHIBIT F). Comments on the findings of the Pain and Symptom Task Force. States that having an office for pain within DHR is a good idea. Suggests having additional citizen representatives on the task force.
159	Dr. Phillip Leveque	Retired Professor, representing American Association of Retired Persons (AARP). Testifies in support of SB 1140. States that pain needs more attention.
196	Chair Fisher	Closes public hearing on SB 1140 and opens a work session on SB 1140.
<u>SB 1140 WORK SESSION</u>		
200	Sen. Duncan	MOTION: Moves SB 1140 to the floor with a DO PASS recommendation.
		VOTE: 4-0 AYE: 4 - Castillo, Duncan, Shannon, Fisher EXCUSED: 1 ñ Shields
Chair Fisher		The motion CARRIES. SEN. DUKES will lead discussion on the floor.
225	Chair Fisher	Closes the work session on SB 1140 and opens a public hearing on SB 1141.
<u>SB 1141 PUBLIC HEARING</u>		
235	Paquette	Testifies in support of SB 1141. States that Oregonians need an advocate who is impartial and can act without retaliation.

255	Carley	OHCA, testifies in support of SB 1141. States that Oregon Health Care supports the bill and supports the position being located in DHR.
265	Jane Myers	Representing Oregon Dental Association. Testifies in support of SB 1141 (EXHIBIT G). States the need for appropriate pain management.
284	Sen. Dukes	Testifies in support of SB 1141 referring to EXHIBIT D . Gives background of SB 1141. Comments on the ñ1 amendment.
310	Weeks	Testifies in support of SB 1141. States the amendments change the title of ombudsman to pain advocate. Requests the position to be located in the DHR community partnership office.
378	Sen. Shields	Asks for the differences between SB 22 and SB 1141.
388	Weeks	Explains the differences between SB 22 and SB 1141.
398	Sen. Shields	Asks what would happen if both bills were passed.
411	Weeks	Responds that both bills should not be passed, either one or the other. States that SB 1141 has a lower fiscal impact than SB 22.
440	Sen. Shields	Questions which bill be more effective.
TAPE 90, B		
000	Sen. Dukes	Responds that SB 1141 is a version of SB 22 with both bills achieving similar outcomes.
035	Grant Higginson, M.D., MPH	States agreement that only one of the bills should be passed. Explains that SB 22 is a recommendation of the Pain and Symptom Task Force. States that SB 22 furthers the intent of the task force, but the task force is supportive of SB 1141.
068	Sen. Shields	Comments on the conflict of interests within the task force.
075	Chair Fisher	States he did not see anyone on the task force attempt to prioritize their own agenda.
085	Sen. Dukes	States it would be great to have some of the task force members apply for the positions created by the task force.
095	Sen. Shannon	States that it appears the biggest barrier is the Board of Medical Examiners (BME).

108	Higginson	States that the BME was active in the task force. Adds that the BME participated in good faith, and that the BME is more aware of patientsí needs than they were ten years ago.
122	Sen. Shannon	Opines that if the BME was educated on pain management, it would negate the necessity of the proposed measures.
130	Sen. Dukes	States that the population on the whole needs education on pain management.
164	Chair fisher	Closes public hearing on SB 1141 and opens a public hearing on SB 1158.
<u>SB 1158 PUBLIC HEARING</u>		
192	Mike Bullis	Testifies in support of SB 1158 (EXHIBIT H). States the bill creates centers for independent living. Comments on the importance of Oregon moving in the direction of independent living.
252	Sherry Downs	Portland Independent Living Center employee. Testifies in support of SB 1158 (EXHIBIT O). Discusses services provided in the Portland Center. Notes that the centers can help people gain independence.
317	Chair Fisher	Asks if Downs is familiar with funding levels.
330	Downs	Responds no. States there is a need to expand services and provide additional public education.
345	Bullis	Explains (EXHIBIT H) to the committee. States that half of the stateís disabled population resides in the Portland metro area.
364	Chair Fisher	Questions funding.
370	Bullis	Explains needed funding for the centers.
391	Norma Trimble	Parent. Testifies in support of SB 1158 (EXHIBIT N). Relates the personal experience of her son. Comments on how the center helped her son.
TAPE 91, B		
000	Trimble	Continues review of sonís successes.
020	Jan Pizzo	Vice President, Board of Central Oregon Resources for Independent Living. Testifies in support of SB 1158 (EXHIBIT K). States that with the help of the center people have gone from living on state assistance to living and working

		independently. Notes that Oregon saves \$1,000 per month for each person who does not receive state assistance.
074	Don Stewart	Director, Independent Living, Bend. Testifies in support of SB 1158 (EXHIBIT L). Discusses the current funding levels which allows for the center to serve 262 of the 10,000 disabled people who live in Central Oregon. Urges committee's support.
148	Tina Treasure	Director, Klamath Falls Center for Independent Living. Testifies in support of SB 1158 (EXHIBIT M). Relates a personal experience. Describes living as a disabled person.
208	Treasure	Continues relating personal experience. Refers to EXHIBIT M and states that through individuals gaining independence the government has saved money.
241	Sen. Shields	Encourages similar testimony for the Ways and Means Committee.
254	Chair Fisher	Closes public hearing on SB 1158 and opens a work session on SB 1158.
<u>SB 1158 WORK SESSION</u>		
268	Sen. Duncan	MOTION: Moves SB 1158 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
		VOTE: 4-0 AYE: 4 - Castillo, Duncan, Shields, Fisher EXCUSED: 1 - Shannon
	Chair Fisher	The motion CARRIES.
282	Dean Westwood	Portland Center for Independent Living. Testifies in support on SB 1158 (EXHIBIT P). Relates personal experience. Testifies on success due to help from the Portland center.
384	Chair Fisher	Enters a letter (EXHIBIT Q) from Ellie Jenny.
393	Sen. Shields	Requests Westwood to testify to the Ways and Means Committee.
414	Ric Burger	President, Oregon Chapter of American Disabled for Attendant Programs Today (ADAPT). Testifies in support of SB 1158. Relates personal experience.

		Comments on the services offered in California independent living centers.
TAPE 92, A		
000	Burger	Continues relating personal experience.
021	Chair Fisher	Closes work session on SB 1158 and opens a public hearing on SB 1290.
<u>SB 1290 PUBLIC HEARING</u>		
036	Sandy Thiele-Cirka	Summarizes SB 1290.
040	Chair Fisher	Closes the public hearing on SB 1290 and opens a public hearing on SB 1027.
<u>SB 1027 PUBLIC HEARING</u>		
045	Ann Jackson	Executive Director, Oregon Hospice Association. Testifies in support of SB 1027 (EXHIBIT R). Discusses the background of the bill. States that some terminally ill Oregonians do not receive treatment because they do not have insurance. States that Oregon is recognized as a leader in the nation for end of life care. Notes the \$1.4 million per year fiscal impact.
106	Carley	Representing Oregon Health Care Association (OHCA). Testifies in support of SB 1027 (EXHIBIT S). States that uninsured people need access to hospice.
140	Chair Fisher	Closes the public hearing on SB 1027 and opens a public hearing on SB 1029.
<u>SB 1029 PUBLIC HEARING</u>		
143	Elizabeth Goeke	Representing the Task Force For Legislative Action. Testifies in support of SB 1029 (EXHIBIT T). Provides background of SB 1029 to the committee. States that people have not been able to receive licensure by Oregon, although they have national licensure.
217	John Deihl	Chair, Board of Licensed Professional Counselors and Therapists. Testifies in opposition to SB 1029. States concerns with SB 1029. Expresses concerns relating to the adjustment of the current educational requirements.
293	Chair Fisher	Asks if a licensed person could retain licensure if they changed from working with the underserved population
298	Deihl	Responds affirmatively.

307	Chair Fisher	Questions if the bill assists reciprocity.
315	Deihl	Comments that is a portion of the bill. Notes Oregon's licensing standards.
340	Chair Fisher	Presents letters of support of SB 1029 (EXHIBIT J).
383	Carol Fleming	Administrator, Board of Licensed Professional Counselors and Therapists. Testifies in opposition to SB 1029 (EXHIBIT U).
388	Deihl	Reviews the internship program. Comments on the licensing process.
440	Chair Fisher	Asks the board to provide reciprocity statistics to the committee. Closes public hearing on SB 1029 and adjourns the meeting at 10:40 AM.

Submitted By, Reviewed By,

Andrew Morris, Sandy Thiele-Cirka,
Administrative Support Administrator

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EXHIBIT SUMMARY

A ñ SB 303, Written testimony and supporting materials, DHR, Gary Weeks, 12 pp

B ñ SB 303, Written testimony, ODDC, Charlotte Duncan, 2 pp

C ñ SB 610, Written testimony, ORA, Tim Kral, 2 pp

D ñ SB 1141, Proposed amendments and supporting materials, Senator Joan Dukes, 4 pp

E ñ SB 1141, Written testimony, OHCA, Margaret Carley, 2 pp

F ñ SB 1141, Written testimony, Ellie Jenny, 1 p

G ñ SB 1141, Written testimony, ODA, Jane Myers, 1 p

**H ñ SB 1158, Written testimony and supporting materials, Centers for Independent Living,
Mike Bullis, 3 p**

I ñ SB 1140, Written testimony, Simon Paquette, 2pp

J ñ SB 1029, Submitted letters, Senator Fisher, 5 pp

K ñ SB 1158, Written testimony, CORIL, Jan Pizzo, 1 p

L ñ SB 1158, Written testimony, CORIL, Don Stewart, 1 p

M ñ SB 1158, Written testimony, CORIL, Tina Treasure, 2 pp

N ñ SB 1158, Written testimony, Norma Trimble, 4 pp

O ñ SB 1158, Written testimony, Sherry Downs, 1 p

P ñ SB 1158, Written testimony, Dean Westwood, 2 pp

Q ñ SB 1158, Written testimony from Ellie Jenny, Senator Fisher, 1 p

R ñ SB 1027, Written testimony and supporting materials, Hospice, Ann Jackson, 23 pp

S ñ SB 1027, Written testimony, Center for Ethics in Health Care, Margarette Carley, 6 pp

T ñ SB 1029, Written testimony and letter, Elizabeth Goeke, 5 pp

**U ñ SB 1029, Written testimony, Board of Licensed Professionals Counselors and
Therapists, Carol Fleming, 2 pp**