

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

April 22, 1999 Hearing Room B

8:00 AM Tapes 95 - 97

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 633 Public Hearing

SB 883 Public Hearing

SB 919 Public Hearing

SJR 40 Public Hearing and Work session

SJR 29 Public Hearing and Work Session

SB 977 Public Hearing

SB 684 Public Hearing

SB 708 Public Hearing

SB 824 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 95, A

004	Chair Fisher	Calls meeting to order at 8:10 AM and opens public hearing on SB 633.
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SB 633 PUBLIC HEARING

010	Sandy Thiele-Cirka	Administrator. Summarizes SB 633.
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017	Chair Fisher	Closes the public hearing on SB 633 and opens a public hearing on SB 883.
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SB 883 PUBLIC HEARING

019	Thiele-Cirka	Summarizes SB 883.
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022	Chair Fisher	Closes the public hearing on SB 883 opens a public hearing on SB 919.
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SB 919 PUBLIC HEARING

025	Thiele-Cirka	Summarizes SB 919.
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031	Chair Fisher	Closes the public hearing on SB 919 and opens a public hearing on SJR 40.
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SJR 40 PUBLIC HEARING

040	Grant Higginson, M.D., MPH	Oregon Health Division. Testifies in support of SJR 40 (EXHIBIT A). Comments on the success of raising the immunization levels for children. Discusses the methods used to achieve the higher levels. States SJR 40 commends the group who provided funding for the project.
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065	Chair Fisher	Questions the necessary immunizations.
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067	Higginson	Lists childhood immunizations.
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078	Chair Fisher	Questions the necessity of having Hepatitis B on the list of immunizations.
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087	Higginson	Responds that the state relies on the American Academy of Pediatrics and the Center for Disease Control, which recommends Hepatitis B be included on the immunization schedule.
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105	Chair Fisher	Questions the expense.
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109	Higginson	Responds the cost to the state will be low.
120	Chair Fisher	Asks if insurance companies provide for immunizations.
127	Higginson	Responds affirmatively.
126	Chair Fisher	Closes the public hearing on SJR 40 and opens a public hearing on SJR 29.
<u>SJR 29 PUBLIC HEARING</u>		
130	Gwen Dayton	Representing Oregon Health Care Association (OHCA). Testifies in support of SJR 29 (EXHIBIT B). States that certified nursing assistants (CNA) earn minimum wage. Comments on the high turnover rate (73 percent) due to low wages. States the population is aging and the potential shortage of care givers.
210	Chair Fisher	Closes public hearing on SJR 29 and opens a work session on SJR 29.
<u>SJR 29 WORK SESSION</u>		
214	Jo Bell	Representing Oregon Association of Hospitals and Health Systems. Testifies in support of SJR 29.
247	Phyllis Lissman	Chair, Governor's Commission on Senior Services. Testifies in support of SJR 29 (EXHIBIT C). Discusses problems surrounding CNAs and in-home caregivers.
301	Sen. Duncan	Asks what types of care facilities exist in Burns.
309	Lissman	Responds that Burns has a nursing home, local hospital, assisted living facility, residential care facility, community foster homes, and a in- home service agency. States the problem is workforce retention.
346	Sen. Duncan	Relates a personal experience.
353	Lissman	Responds that residents become attached to the care givers.
382	Chair Fisher	Discusses with Sen. Duncan and Lissman assisted living facilities.
407	Sen. Castillo	MOTION: Moves SJR 29 to the floor with a BE ADOPTED recommendation and BE REFERRED to the committee on Ways and Means.

		VOTE: 4-0 AYE: 4 ñ Castillo, Duncan, Shields, Fisher EXCUSED: 1 ñ Shannon
	Chair Fisher	The motion CARRIES.
422	Chair Fisher	Closes the work session on SJR 29 and opens a work session on SJR 40.
<u>SJR 40 WORK SESSION</u>		
431	Sen. Duncan	MOTION: Moves SJR 40 be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 4-0 AYE: 4 ñ Castillo, Duncan, Shields, Fisher EXCUSED: 1 ñ Shannon
	Chair Fisher	The motion CARRIES. SEN. DUNCAN will lead discussion on the floor.
450	Chair Fisher	Closes the work session on SJR 40 and opens a public hearing on SB 977.
<u>SB 977 PUBLIC HEARING</u>		
TAPE 96, A		
000	Sen. Frank Shields	Senate District 9. Testifies in support of SB 977 (EXHIBIT D). States that early education for children is important. Discusses the differences between children whose brains are stimulated versus non-stimulated. States that children who grow up in deprived environments may be compromised.
065	Sen. Shields	Adds that Oregon cannot afford to turn their backs on the underserved population.
083	Chair Fisher	Questions the ñ1 amendment.
088	Sonya Fischer	Legislative Assistant, Sen. Shields. Explains the background of the ñ1 amendment.

096	Sen. Duncan	Notes support for children. Comments on then current research.
110	Sen. Shields	Relates the results of a current scientific study.
131	Sen. Shannon	Asks how the bill will be implemented.
134	Fischer	Responds that the Child Care Division through the Employment Department will be responsible for service delivery.
143	Sen. Shannon	Notes the importance of the children staying in the home.
148	Fischer	Responds the intent is to provide additional resources and not remove the children.
159	Sen. Shannon	Asks who decides which services are needed. States that disadvantaged children are already receiving services.
166	Fischer	Responds that home visiting services for the disadvantaged population is not enough. Explains the results of the studies completed.
175	Sen. Shannon	States concern relating to increased funding to the Commission on Children and Families.
187	Fischer	States the money would be handled by the Child Care Division.
208	Janice Lubbock	Pearl Buck Center. Testifies in support of SB 779 (EXHIBIT E). Comments on early childhood education. States that by age three, the brain is 90 percent grown. States early childhood is a critical time for children. Discusses childhood development. Reviews Pearl Buck services.
268	Lubbock	Continues review. States the center assists families and relies on donations for support.
306	Annette Talbot	Employment Department. Testifies in support of SB 977. Explains strategies in assisting the children.
322	Tom Olsen	Child Care Division. Testifies in support of SB 977. States the bill recognizes that child care is early childhood education and not babysitting.
340	Chair Fisher	States the fiscal impact needs to be evaluated.
351	Sen. Shannon	States that she learned about childhood education before her children were born. Comments on current interventions.

376	Lubbock	States that there is a waiting list for her center. States that early intervention services are not available.
408	Sen. Duncan	Reiterates support and that improvements are needed.
428	Chair Fisher	Closes public hearing on SB 977 and opens public hearing on SB 684 and SB 708 concurrently.
<u>SB 684 & SB 708 PUBLIC HEARING</u>		
TAPE 95, B		
015	Sandra Bishop	Representing Fair Competition Alliance. Testifies in support of SB 684 (EXHIBIT F). Explains the ñ1 amendment to the committee. States there is no clear definition of disabled, and that clarification is needed. States they are not trying to create an exclusive list.
080	Bishop	Relates the Oregon Health Plan, and states the legislature decides which services are covered. Asks the committee to decide which disabilities need to be covered.
089	Chair Fisher	States that he will proceed with more testimony on SB 684 after the -1 amendment have been reviewed.
096	Bishop	Testifies in support of SB 708. Summarizes SB 708. Discusses public contracting with the committee. Explains (EXHIBIT G) and the documents enclosed.
158	Bishop	Continues describing EXHIBIT G . Comments on the opinion of the attorney general.
173	Sen. Duncan	States the importance of the attorney general's opinion.
188	Bishop	Responds that the attorney general is not a legislative attorney. Refers to EXHIBIT G and Legislative Counsel's opinion.
227	Jerry Egger	Member of Fair Competition Alliance. Testifies in support of SB 708. Relates a personal experience. States that statutes regarding employment of disabled people needs increased oversight. Refers to EXHIBIT G which compares federal and state definitions.
298	William Puntney	Member of Fair Competition Alliance. Testifies in support of SB 708. States the statutes regarding employment of disabled persons have been abused. States SB 708 will provide fairness between the non-profit organizations and profit organizations.

329	Bishop	Refers to EXHIBIT G and the completed population study.
335	Chair Fisher	Closes the public hearing on SB 684 and SB 708 and opens a public hearing on SB 824.
<u>SB 824 PUBLIC HEARING</u>		
365	Lisa Scott Gilliam	Representing Schering-Plough. Testifies in support of SB 824 (EXHIBIT H). Comments on the prior authorization process. Explains the background of SB 824. Comments on allergy relief. Discusses the sedating affects of over the counter allergy medication.
426	Gary Kay	Associated Dean, School of Medicine, Georgetown University, and Ph.D. Testifies in support of SB 824. Refers to EXHIBIT H . Discusses the impacts of allergies on the quality of life. Comments on the affects of sedating antihistamines.
TAPE 96, B		
000	Kay	Continues discussing allergies. States that antihistamines can affect the brain. Discusses the impact of sedating antihistamines.
054	Sen. Duncan	Asks if Actifed is an antihistamine.
056	Kay	Responds affirmatively. Relates a study done on sedating antihistamines.
104	Kay	Relates results of study done on people who had taken sedating antihistamines. States that if people do not feel sedated, they do not take precautions. Continues discussion on medication side effects.
159	Kay	States that he developed a test for the Federal Air and Aviation agency to test response time after consuming sedating antihistamines. States that while taking antihistamines, people's moods become more agitated and violent. States that consumption of non-sedating antihistamines can be prevented.
204	Charles Wagner, M.D.	Allergist. Testifies in support of SB 824. Comments on the negative side effects of sedating antihistamines.
280	Hersh Crawford, Director	Office of Medical Assistance Program (OMAP). Testifies in opposition to SB 824 (EXHIBIT I). Comments on the impact to the Oregon Health Plan. Notes the fiscal impact.
357	Sen. Duncan	Asks if the preventative measures are in the cost analysis.

363	Crawford	Responds no.
380	Sen. Duncan	Asks if Crawford agrees with Kay.
390	Crawford	Responds that he agrees with Kay, and states that allergies are not a covered condition.
397	Sen. Castillo	States concern with what is covered under the Oregon Health Care Plan. Comments on presented testimony.
422	Chair Fisher	Comments on Wagner's testimony. Asks Crawford about people that require multiple visits because of the medication that has side affects.
458	Crawford	Responds that more information than the prescription is needed from the physician on whether or not a more expensive medications is needed.
TAPE 97, A		
000	Chair Fisher	Refers to Wagner's testimony which indicates that extra work is required.
004	Crawford	Opines the information can be transferred over the telephone.
010	Wagner	Responds the extra steps require more time and work.
024	Chair Fisher	Discusses with Wagner that a diagnosis is necessary to obtain proper medication.
033	Crawford	States he will look into streamlining the process.
038	Chair Fisher	Questions the cost to other agencies.
044	Crawford	Responds he does not have that information. Refers to current statute that dictates what the Oregon Health Plan covers.
062	Chair Fisher	States concern with OMAP's lack of judgement.
067	Crawford	Responds that statutes decided on treatment methods.
096	Chair Fisher	Notes concerns with OMAP.
098	Wagner	Responds affirmatively.

101	Chair Fisher	States there appears to be a lack of coordination between agencies in the budgeting process.
150	Chair Fisher	Closes the public hearing on SB 824 and reopens public hearing on SB 708.
<u>SB 708 PUBLIC HEARING</u>		
164	Tim Kral	Representing Oregon Rehabilitation Association. Testifies in opposition to SB 708 (EXHIBIT J). States the original legislation was passed in 1977 and unanimously passed by both chambers. States that the current law is very effective, and notes that disabled is not defined in statute. Comments on definitions in administrative rules.
253	Sen. Shields	Expresses appreciation for testimony.
264	Chair Fisher	Closes the public hearing on SB 708 and adjourns the meeting at 10:19 AM.

Submitted By, Reviewed By,

Andrew Morris, Sandy Thiele-Cirka,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SJR 40, Written testimony, Oregon Health Division, Grant Higginson, 2 pp

B ñ SJR 29, Written testimony, Oregon Health Care Association, Gwen Dayton, 1 p

C ñ SJR 29, Written testimony, Governorís Commission on Senior Services, Phyllis Lissman, 1 p

D ñ SB 977, Written testimony, Sen. Frank Shields, 3 pp

E ñ SB 977, Written testimony, Pearl Buck Center, Janice Lubbock, 4 pp

F ñ SB 684, and SB 708, Written testimony, Fair Alliance Competition, Sandra Bishop, 14 pp

G ñ SB 684, and SB 708, Notebook, Fair Alliance Competition, Sandra

Bishop, oversized exhibit

H ñ SB 824, Written testimony, Schering-Plough, Lisa Scott Gilliam, 34 pp

I ñ SB 824, Written testimony, OMAP, Hersh Crawford, 2 pp

J ñ SB 684, SB 708, Written testimony, Oregon Rehabilitation Association, Tim Kral, 3 pp