

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

April 28, 1999 Hearing Room B

8:00 AM Tapes 101 -103

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 606 Work Session

SB 676 Work Session

SB 1141 Work Session

SB 421 Work Session

SB 824 Work Session

SB 582 Work Session

SB 744 Work Session

SB 769 Work Session

SB 977 Work Session

SB 1027 Work Session

SB 210 Work Session

SB 540 Work Session

SB 611 Work Session

SB 765 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 101, A		
004	Chair Fisher	Calls the meeting to order at 8:06 AM and opens a work session on SB 606.
<u>SB 606 WORK SESSION</u>		
007	Kathleen Haley	Executive Director, Board of Medical Examiners (BME). Comments on the responsibilities of the BME. States the BME submitted the ñ1 amendment.
042	Sandy Thiele-Cirka	Administrator. Summarizes the ñ1, -2, and ñ3 amendments.
066	Sen. Duncan	Asks if the BME supports SB 606.
069	Haley	Responds the BME does not have a position on the bill.
087	Sen. Shannon	MOTION: Moves to ADOPT SB 606-1 amendments dated 04/26/99.
	Chair Fisher	Hearing no objection, declares the motion CARRIED.
090	Sen. Shannon	MOTION: Moves SB 606 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-1 AYE: 4 - Duncan, Shannon, Shields, Fisher NAY: 1 - Castillo
	Chair Fisher	The motion CARRIES. SEN. SHANNON will lead discussion on the floor.
107	Chair	Closes the work session on SB 606 and opens a work session on SB 676.

	Fisher	
<u>SB 676 WORK SESSION</u>		
130	Sen. Ted Ferrioli	Senate District 28. Testifies in support of SB 676. Provides background of SB 676. Discusses the ñ1 amendment. States the amendment is a compromise between urban and rural hospitals.
174	Hersh Crawford	Director, Oregon Medical Assistance Program (OMAP). States support for the ñ1 amendment.
178	Sen. Shields	Asks if the amendments address his concerns.
182	Crawford	Responds affirmatively. Explains the ñ1 amendment to the committee.
228	Chair Fisher	Asks how the amendments affect current practices.
232	Crawford	Responds the bill will require the plans to reimburse full costs, and the hospitals will refund any difference.
248	Ed Patterson	Representing Oregon Association of Hospitals and Health Systems (OAHHS). Testifies in support of SB 676. Comments on the cooperative effort.
271	Sen. Duncan	MOTION: Moves to ADOPT SB 676-1 amendments dated 04/21/99.
	Chair Fisher	Hearing no objection, declares the motion CARRIED.
274	Sen. Duncan	MOTION: Moves SB 676 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. FERRIOLI will lead discussion on the floor.
295	Chair Fisher	Closes the work session on SB 676 and opens a work session on SB 1141.

SB 1141 WORK SESSION

302	Cirka	Summarizes SB 1141. Explains the amendments to the committee.
318	Sen. Duncan	MOTION: Moves to ADOPT SB 1141-2 amendments dated 04/27/99.
	Chair Fisher	Hearing no objection, declares the motion CARRIED.
322	Sen. Duncan	MOTION: Moves SB 1141 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. DUKES will lead discussion on the floor.
333	Chair Fisher	Closes the work session on SB 1141 and opens a work session on SB 421.

SB 421 WORK SESSION

341	Grover Simmons	Representing Adult Care Providers of Oregon. Gives the background of SB 421 and the ñ1 amendment.
373	Sen. Castillo	Explains the ñ2 amendments. Provides clarification of the ñ2 amendments.
392	Sen. Shields	States that lines 8, 9, and 10 are not needed according to attorneys he has spoken with.
415	Simmons	States that clarifying language should not be an issue. Explains reasoning for the language in SB 421.
440	Sen. Duncan	Comments on the concern of the good faith issue.
449	Chair Fisher	Acknowledges Sen. Duncan's concern.

TAPE 102, A

000	Sen. Duncan	Asks for Sen. Shield's opinion of Simmons' testimony.
004	Sen. Shields	Responds the language is confusing and it needs to be clarified.
012	Sen. Castillo	States that an attorney from the Oregon Law Center suggested the 2 amendments.
030	Sen. Duncan	Asks if the issue of discouraging complaints was resolved.
033	Chair Fisher	Responds affirmatively.
048	Sen. Shields	Discusses the good faith issue.
091	Sen. Shannon	MOTION: Moves to ADOPT SB 421-1 amendments dated 02/23/99.
		VOTE: 3-2 AYE: 3 - Duncan, Shannon, Fisher NAY: 2 - Castillo, Shields
	Chair Fisher	The motion CARRIES.
105	Sen. Shannon	MOTION: Moves SB 421 to the floor with a DO PASS AS AMENDED recommendation.
110	Sen. Castillo	Asks if unsubstantiated complaints would be clearly marked.
118	Simmons	Responds affirmatively.
120	Sen. Shannon	States that if this law is abused, that it be reviewed during the next legislative session.
		VOTE: 3-2 AYE: 3 - Duncan, Shannon, Fisher

		NAY: 2 - Castillo, Shields
	Chair Fisher	<p>The motion CARRIES.</p> <p>SEN. FISHER will lead discussion on the floor.</p>
130	Sen. Shields	Serves notice of a minority report.
137	Chair Fisher	Acknowledges Sen. Shields notice. Closes the work session on SB 421 and opens a work session on SB 824.
<u>SB 824 WORK SESSION</u>		
150	Cirka	Summarizes the ñ1 amendment.
168	Lisa Gilliam	States support for the additional changes to the ñ1 amendment.
174	Crawford	Discusses the proposed changes to the ñ1 amendment.
199	Chair Fisher	Asks if the changes could be made in the House.
216	Crawford	Requests completing the changes in the current committee.
236	Chair Fisher	Closes the work session on SB 824 and opens a work session on SB 582.
<u>SB 582 WORK SESSION</u>		
245	Cirka	Summarizes SB 582 and the ñ1 amendment.
288	Gwen Dayton	Representing Oregon Health Care Association (OHCA). States the proponents support the ñ1 amendment.
297	Sen. Shannon	MOTION: Moves to ADOPT SB 582-1 amendments dated 04/27/99.
	Chair Fisher	Hearing no objection, declares the motion CARRIED.

301	Sen. Shannon	MOTION: Moves SB 582 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. CASTILLO will lead discussion on the floor.
316	Chair Fisher	Closes the work session on SB 582 and opens a work session on SB 744.
<u>SB 744 WORK SESSION</u>		
322	Cirka	Summarizes SB 744 and the ñ1 amendment.
346	Sen. Kate Brown	Senate District 7. Testifies in support of SB 744 (EXHIBIT A). Provides clarification of the ñ1 amendment.
400	Sen. Brown	Continues explaining the amendments. Discusses other states that have passed similar laws.
420	Sen. Shannon	Asks if any public employees have been denied the ability to breast feed.
425	Sen. Brown	Responds no. Relates a story of discrimination.
435	Sen. Shannon	Asks if the parties involved apologized for their actions.
437	Sen. Brown	Responds she does not have that information. States the bill is an educational tool.
TAPE 101, B		
013	Sen. Shields	MOTION: Moves to ADOPT SB 744-1 amendments dated 04/22/99.

	Chair Fisher	Hearing no objection, declares the motion CARRIED.
020	Sen. Shields	MOTION: Moves SB 744 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. BROWN will lead discussion on the floor.
030	Chair Fisher	Closes the work session on SB 744 and opens a work session on SB 769.
<u>SB 769 WORK SESSION</u>		
037	Cirka	Summarizes SB 769.
045	Chair Fisher	Introduces a letter (EXHIBIT C) .
056	Lis Merten	Requests SB 769 be withdrawn from consideration (EXHIBIT B) .
067	Tom Holt	Representing Oregon Pharmacist Association. States an agreement was made between the parties involved.
079	Mike Patrick	Board of Pharmacy member. Outlines the agreement between the pharmacies and the Board of Pharmacy.
098	Marcus Watt	Representing Fred Meyer. States agreement with the changes made by the Board of Pharmacy.
112	Gary Schnobel	Acting director, Board of Pharmacy. Participant of the work group. Comments in support of the agreement.
123	Watt	States there will not be disciplinary actions for non-compliance.
130	Chair Fisher	Closes the work session on SB 769 and opens a work session on SB 977.

SB 977 WORK SESSION

134	Cirka	Summarizes SB 977 and the ñ1 amendment.
145	Tom Olsen	Administrator, Child Care Division. Reviews the costs for the implementation of SB 977.
181	Olsen	States it would be voluntary for families to accept the care.
185	Sen. Shields	States that parents need help.
202	Sen. Duncan	Comments the bill could be a cost saving measure in the long run.
211	Sen. Shannon	Asks how SB 977 compares to SB 919.
242	Sen. Castillo	Explains to Sen. Shannon that different populations are involved.
250	Sen. Shannon	Notes concerns.
260	Sen. Duncan	States a problem exists and the children need to be helped.
270	Sen. Duncan	MOTION: Moves to ADOPT SB 977-1 amendments dated 04/20/99.
	Chair Fisher	Hearing no objection, declares the motion CARRIED.
275	Sen. Duncan	MOTION: Moves SB 977 to the floor with a BE ADOPTED AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
		VOTE: 5-0 AYE: 5 ñ Castillo, Duncan, Shannon, Shields, Fisher
	Chair Fisher	The motion CARRIES.
287	Chair Fisher	Closes the work session on SB 977 and opens a work session on SB 1027.

SB 1027 WORK SESSION

288	Cirka	Summarizes SB 1027.
301	Sen. Shields	MOTION: Moves SB 1027 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
		VOTE: 5-0 AYE: 5 - Castillo, Duncan, Shannon, Shields, Fisher
	Chair Fisher	The motion CARRIES.
304	Chair Fisher	Closes the work session on SB 1027 and opens a work session on SB 210.

SB 210 PUBLIC HEARING

329	Cirka	Summarizes SB 210 and the 4 amendments.
338	Nancy Ellison	Administrator, Department of Consumer and Business Services, Insurance Division. Provides bill and amendment clarification.
354	Sen. Shields	MOTION: Moves to ADOPT SB 210-4 amendments dated 04/27/99.
	Chair Fisher	Hearing no objection, declares the motion CARRIED.
358	Sen. Shields	MOTION: Moves SB 210 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. SHIELDS will lead discussion on the floor.
370	Chair Fisher	Closes the work session on SB 210 and opens a work session on SB 540.

SB 540 WORK SESSION

382	Cirka	Summarizes SB 540.
394	Bruce Gold, Ph.D	Scientist, Center for Research on Occupational and Environmental Toxicology, Oregon Health Sciences University. Testifies in support of SB 540 (EXHIBIT F). Provides background on spinal cord injuries and stem cell research. Comments on the cost of research.

TAPE 102, B

000	Gold	States there has not been a strong interest in supporting research. Comments on Oregon's role in research. Discusses recent discoveries made in spinal cord research.
045	Chair Fisher	Asks for a suggested funding amount.
055	Gold	Responds about \$25,000. Comments on grants he has obtained in order to continue the research.
068	Chair Fisher	Responds that \$100,000 could pay for office personnel and supplies.
073	Gold	Responds in agreement.
094	Sen. Duncan	MOTION: Moves SB 540 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means and include a recommendation for \$100,000 to be allocated.
		VOTE: 5-0 AYE: 5 - Castillo, Duncan, Shannon, Shields, Fisher
	Chair Fisher	The motion CARRIES.
120	Chair Fisher	Closes the work session on SB 540 and opens a work session on SB 611.

SB 611 WORK SESSION

125	Susan Wilson	Administrator, Health Licensing Office. Testifies on SB 611 (EXHIBIT G). Summarizes the background of the Board of Midwifery. Comments on funding sources.
175	Wilson	Explains current litigation.
198	Sen.	States support of Direct Entry Midwives. States concern about the incurred debt.

	Castillo	
220	Chair Fisher	States there is an amendment that would allow for contributions by private entities. States support of Direct Entry Midwives.
262	Abby Hoffer	Board of Midwifery. Testifies in support of SB 611. Acknowledges the support of the committee. Comments on the commitment of the board and their support of increasing the licensing fees. States that the midwives had pledged to support the increase in fees.
324	Hoffer	States that Board of Midwifery does not support mandatory licensing. Comments on unlicensed midwives.
356	Chair Fisher	Discusses proposed language.
430	Chair Fisher	Closes the work session on SB 611 and opens a work session on SB 765.
<u>SB 765 WORK SESSION</u>		
432	Barbara Ash	Parent. Explains the ñ2 amendments.
TAPE 103, A		
000	Katharine Weit	Representing Oregon Developmental Disabilities Council. States the Department of Education supports the ñ2 amendments.
005	Sen. Duncan	MOTION: Moves to ADOPT SB 765-2 amendments dated 04/27/99.
	Chair Fisher	Hearing no objection, declares the motion CARRIED.
008	Sen. Duncan	MOTION: Moves SB 765 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.

010	Chair Fisher	Closes SB 765 and adjourns the meeting at 10:08 AM.
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Submitted By, Reviewed By,

Andrew Morris, Sandy Thiele-Cirka,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 744, Legislative summary, Sen. Brown, 2 pp

B ñ SB 769, Written testimony, Oregon Community Pharmacy Council, Pat Amedeo, 2 pp

C ñ SB 769, Letter, Sen. Fisher, 2 pp

D ñ SB 977, Written testimony, Child Care Division, Tom Olsen, 1 p

E ñ SB 1027, Letter, Sen. Fisher, 1 p

**F ñ SB 540, Written testimony, Center for Research on Occupational and Environmental
Toxicology, OHSU, Bruce Gold Ph.D., 4 pp**

G ñ SB 611, Written testimony, Health Licensing Office, Susan Wilson, 2 pp