

HOUSE COMMITTEE ON HUMAN RESOURCES

February 24, 1997 Hearing Room H 170

1:30 P.M. Tapes 33 - 34

**MEMBERS PRESENT:**

Rep. Patti Milne, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Richard Devlin

Rep. Steve Harper

Rep. Jeff Kruse

Rep. Jane Lokan

Rep. Kitty Piercy

**MEMBER EXCUSED:**

**STAFF PRESENT:**

Lori Long, Administrator

Jennifer Peck, Administrative Support

**MEASURE/ISSUES HEARD:**

HB 2147 Work Session

HB 2571 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 33, A</b>		
003	Chair Milne	Opens meeting at 1:30 p.m.
005	Chair Milne	Opens work session on HB 2147.
<b>HB 2147 WORK SESSION</b>		
007	Lori Long	Committee Administrator, summarizes HB 2147.

017	Rep. Kruse	<b>MOTION: Moves to ADOPT HB 2147-1 amendments dated 02/05/97.</b>
	Chair Milne	<b>Hearing no objection, declares the motion CARRIED.</b>
022	Rep. TAYLOR:	<b>MOTION: Moves HB 2147-1 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b>
		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	Chair Milne	<b>The motion CARRIES.</b> <b>REP. TAYLOR will lead discussion on the floor.</b>
046	Chair Milne	Closes work session on HB 2147 and opens public hearing on HB 2571.
<b><u>HB 2571</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
050	Long	Summarizes HB 2571.
057	Rep. Thompson	State Representative, district 4, states reasons for starting the bill.
071	Tina Lenzer	Testifies in support of HB 2571. Presents and submits written testimony ( <b>EXHIBIT A</b> ). States reasons the bill was drafted. States the intention of HB 2571 would allow patients choices. Speaks about hospitals' opposition to HB 2571.
125	Lenzer	Reads letters from ( <b>EXHIBIT A</b> ).
175	Lenzer	Continues reading letters. States patients will leave a hospital without being informed there are other agencies to which they may go for home health care.
225	Lenzer	Continues reading letters of people who were unable to attend the meeting.
257	Rep. Taylor	Asks about the 30 percent in HB 2571. Points out a problem if only two agencies are in an area.
270	Lenzer	States amendments may need to be made for such an instance.
274	Rep. Harper	Asks Lenzer to specifically state the problems.
279	Lenzer	Addresses the problems: lack of patients' choices, hospital's referrals to their own agencies, and cost reimbursement.
318	Rep. Harper	Asks about a discharge planning.
327	Lenzer	Explains that referrals are only given for limited agencies.
345		Discussion of other options for a solution other than HB 2571.
367	Rep. Devlin	Asks if there is a rotating list of providers.
380	Lenzer	Responds she is not sure.

391	Rep. Piercy	Asks if there is documentation of hospitals trying to remedy the problem unsuccessfully.
405	Lenzer	States that there is documentation.
<b>TAPE 34, A</b>		
013	Kenneth Johnston	General Counsel, Home Care Association of America, presents and submits written testimony ( <b>EXHIBIT B</b> ) in support of HB 2571. Discusses freedom of choice. Explains current problems of doctors' biased referrals when there are conflicts of interest.
071	Johnston	Gives examples of lack of patients' understanding of their options in health care.
094	Rep. Lokan	Asks if Johnston is referring to any patient or those under certain insurance plans.
097	Johnston	Responds that it is a general problem.
112	Rep. Piercy	Asks about the current law and how the HB 2571 differs in its effectiveness, since patients already have rights of choice.
130	Johnston	Discusses choices patients currently do and do not get.
160	Rep. Piercy	Asks for clarification of logistical changes HB 2571 would enact. Asks about legal leverage.
162	Johnston	Discusses effort to get a requirement for equalized referrals. Explains lack of legal leverage for small health care centers to get patients referred to them.
180	Rep. Piercy	Asks for specific differences HB 2571 would enact.
182	Johnston	States the new actions which would arise.
192	Rep. Harper	Asks for definition of "double-dipping."
196	Johnston	Responds that hospitals get administrative costs and costs for the home care.
206	Rep. Harper	Asks what home health care gets paid.
208	Lenzer	Discusses reimbursements to private health care agencies and explains that hospitals get reimbursed more money.
220	Rep. Harper	Asks about advertising of agencies.
221	Johnston	Discusses advertising differences between hospitals and agencies.
233	Chair Milne	Asks if there are offered brochures about the agencies in the hospital and asks how patients are currently referred to agencies.
239	Johnston	Discusses reimbursed costs for medical care and explains how home care agencies currently get their patients.
255		Discussion of patient awareness of agencies.
282	Rep. Lokan	Asks if any patients are accepted by the agencies and asks if the patients get different costs at different sites.
299	Johnston	Explains set rates for agencies and those incurred by insurance companies. Discusses insurance companies' view of costs per patient.
359	Rep. Lokan	Asks if there is a limit on the number of patients accepted.

361	Johnston	Explains the type of home health care provided.
393	Carolyn Souders	Administrator of C and N Home Health Care, Inc., Klamath County, supports HB 2571. Lists problems with the current referral system and patients not being informed of their patient choices.
<b>TAPE 33, B</b>		
001	Souders	Continues testimony. Reads a letter from a recent patient which exemplifies a series of similar letters Souders has received on HB 2571.
050	Souders	Reads another letter from a nurse in support of HB 2571.
067	Rep. Taylor	In reference to a personal experience she asks if Souders thinks HB 2571 will truly alter the choices patients make.
098	Souders	Explains patients do not return to C and N for post-hospital care even when they were satisfied with their care before entering a hospital.
126	Rep. Taylor	Asks about litigation.
136	Rep. Kruse	Asks how C and N knows that patients simply change their mind about health care.
143	Souders	Gives examples of patients who have been switched to hospitals health care to their own surprise, because they expected the same care as they had before their hospital admission. Discusses ability of patients to choose their own care.
184	Rep. Piercy	Restates the basic current problem for clarification.
191	Souders	Explains exact referral procedures.
217	Rep. Kruse	Explains a personal experience in a hospital and states the patients do have a choice.
221	Rep. Harper	Discusses inability of non- hospital home health care agencies to get patients.
240	Cheryl Hickel	Director of Operations, Home Health Care, Klamath County, supports HB 2571. Gives examples of current problems.
290	Hickel	Describes instances of people not being given their options.
335	Hickel	Concludes testimony.
360	Dr. David Cheek	Employee of Oregon Anesthesia Group, and member of Governing Board, Best Home Care, Incorporated, supports HB 2571. Gives overview of current practices and services relating to HB 2571.
416	Cheek	States the system needs to be fixed, therefore HB 2571 is necessary.
<b>TAPE 34, B</b>		
002	Cheek	Explains discharge planning. Explains problems with the current system and states hospitals are at an unfair advantage.
015	Rep. Devlin	Asks if the system would change or be helped by HB 2571.
030	Cheek	Responds that it would make changes and increase patient awareness.
049	Rep. Devlin	Discusses enforcement of informing patients without bias.
054	Cheek	Agrees enforcement is unclear.

057	Rep. Lokan	Asks if Cheek thinks liabilities are possible and in what cases.
061	Cheek	Discussion of liabilities in connection with hospital referrals.
094	Rep. Harper	Asks about specific costs.
106	Cheek	Explains the home health care agencies try to lower costs to patients.
108	Chair Milne	Discusses the next public hearing on HB 2571.
115	Rep. Taylor	Asks if Cheek's home health care organization is non-profit.
122	Chair Milne	Closes public hearing on HB 2571 and adjourns meeting at 3:09 p.m.

Submitted By, Reviewed By,

Jennifer Peck, Lori Long,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - HB 2571, written testimony, Tina Lenzer, 66 pp**

**B - HB 2571, written testimony, Ken Johnston, 45 pp**