

COMMITTEE ON HUMAN RESOURCES

April 7, 1997 Hearing Room H-170

1:00 P.M. Tapes 67 - 68

MEMBERS PRESENT:

Rep. Patricia Milne, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Richard Devlin

Rep. Jeff Kruse

Rep. Jane Lokan

Rep. Kitty Piercy

Rep. Steve Harper

MEMBER EXCUSED:

STAFF PRESENT:

Lori A. Long, Administrator

Diane M. Quinones, Administrative Support

MEASURE/ISSUES HEARD:

HB 3091 Work Session

HB 3338 Public Hearing

HB 3008 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 67, A		
001	Chair Milne	Calls the meeting to order at 1:05 p.m.
003	Chair Milne	Opens a work session on HB 3091.
<u>HB 3091</u> <u>WORK</u>		

SESSION		
005	Peter Grundfossen	Represents, Association of Oregon Housing Authorities, submits information on commercial facilities in Housing Authority developments (EXHIBIT A) and summarizes HB 3091 explaining the -1 amendments dated 04/07/97.
035	Rep. Taylor	Asks if the first part of this bill does the same thing as HB 3023.
040	Grundfossen	HB 3023 came from the Housing and Community Services Department (HCSD). They are a finance agency that doesn't construct on the ground. HB 3023 gave HCSD the authority to finance facilities such as the ones built by the Housing Authority.
049	Lori Long	Committee Administrator, discusses the public housing authority laws and states that their properties are tax exempt. To attain an exemption from the tax exemption there had to be specific language allowing the state to tax the commercial portion of the properties.
060	Rep. Harper	MOTION: Moves to ADOPT HB 3091 amendments dated 04/07/97. (EXHIBIT B)
064	Chair Milne	Hearing no objection, declares the motion CARRIED.
70	Rep. Harper	MOTION: Moves HB 3091 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
080	Chair Milne	The motion CARRIES. REP. HARPER will lead discussion on the floor.
082	Chair Milne	Closes the work session on HB 3091.
083	Chair Milne	Opens a public hearing on HB 3338.
<u>HB 3338</u> <u>PUBLIC</u> <u>HEARING</u>		
105	Rep. Piercy	Oregon Legislator, district 39, submits and presents written testimony in support of HB 3338 (EXHIBIT C). * understands that this bill is far too ambitious for the budgetary constraints that must be adhered to * would like to meet with the Oregon Health Division (OHD) and other organizations that are in support of creating an education and treatment program for osteoporosis

		* would like to come back to the committee in 2 weeks with ideas for addressing this issue and ways to fund a program
240	Roberta Mansfield	Health Educator, Oregon Osteoporosis Center, Portland, submits and presents written testimony in support of HB 3338 on behalf of Dr. Michael McClung and submits information relating to education and treatment of osteoporosis (EXHIBIT D). * concerned about duplicating already existing information, research groups, and support groups * applauds the idea of an advisory board and needs assessment * believes Oregon is a leader in the nation for reaching people afflicted with osteoporosis
294	Pam Trask	Co-Chair, Osteoporosis Support Group (OSG), Providence Hospital, Portland, testifies in support of HB 3338. OSG is a well established group receiving requests from other hospitals and community groups to help form additional support groups.
310	Rep. Kruse	Asks where the group gets its funding.
312	Mansfield	They are a non-profit entity of Providence hospital. The research being done is funded by industry.
320	Rep. Piercy	Asks if the witnesses would be willing to be involved in discussions that would facilitate a process by which information was shared across the state.
330	Mansfield	Responds affirmatively.
331	Long	Submits written testimony in opposition to HB 3338 from the Center for Disease Prevention and Epidemiology, Department of Human Resource (EXHIBIT E).
332	Chair Milne	Closes the public hearing on HB 3338.
333	Chair Milne	Opens a public hearing on HB 3008.
<u>HB 3008</u> <u>PUBLIC</u> <u>HEARING</u>		
340	Rep. Lonnie Roberts	Oregon Legislator, district 21, testifies in support of HB 3008 and introduces witnesses intending to support the bill. * This bill will put Oregon first in the nation for medical research and treatment of chronic diseases. * This bill is tightly constructed with important restrictions.
TAPE 68, A		

005	Long	<p>* Explains the code of federal regulations attached to the Staff Measure Summary.</p> <p>* Welcomes her former employer, Mr. Andrea Bartoloni, to the capitol and for the record acknowledges a potential conflict of interest.</p>
025	Doug Foley	<p>Attorney at Law, Vancouver, WA., submits and presents testimony in support of HB 3008 (EXHIBIT F).</p> <p>* discusses existing laws in the nation that license foreign medical doctors</p> <p>* this bill goes beyond existing laws and requires additional standards that each doctor must meet</p> <p>* introduces Dr. Volka Desnizza</p> <p>* introduces Dr. Michael Noonan</p>
095	Dr. Michael Noonan	<p>* Verifies asthma research done with Dr. Volker Desnizza.</p> <p>* Studies must be "double blinded" and have very strict perimeters.</p>
112	Chair Milne	Asks if Noonan is going to speak on behalf of the bill.
115	Noonan	He is not associated with the bill and is only here to verify Dr. Desnizza's work.
132	Dr. Volka Desnizza	<p>* Explains his invitation to do research in Oregon.</p> <p>* Discusses his history of research in various countries including the United States.</p> <p>* Sponsored a double blind asthma study with the National College of Naturopathic Medicine (EXHIBIT G).</p>
200	Chair Milne	Asks for testimony and background on the bill.
205	Rep. Roberts	<p>Dr. Noonan is not here to provide testimony for the bill, that is the job of Doug Foley and himself.</p> <p>The doctors are here to bring verification and examples of exceptional expertise that the bill is addressing.</p>
226	Long	Asks if it was the study before the members that gave Dr. Desnizza the ability to have immigration status that defined him as an alien with extraordinary ability.
234	Foley	<p>* Explains the doctor holds an H 1-B visa which is authorized for the purpose of scientific study.</p> <p>* The materials in EXHIBIT F set forth existing law and explains how the bill will work in the state of Oregon.</p>

		* The purpose of this bill is to allow outstanding practitioners, who have satisfied minimum requirements and extraordinary ability criteria, to become licensed in the state of Oregon.
277	Long	Asks for more focus on the bill itself and what the Code of Federal Regulations (CFR) outlines as extraordinary ability.
286	Foley	* Refers the committee to EXHIBIT F , page 2. * Explains the criteria that a doctor must meet in order to gain extraordinary status and ability to have permanent resident visa status. * This bill does not bind the Board of Medical Examiners since it does not say it must license doctors, it says it "may" license doctors.
345	Rep. Harper	Asks how Dr. Desnizza would get a license in this state today.
	Foley	Doctor Desnizza would have to acquire resident status and go back to medical school. * go through residency and internship programs
367	Rep. Harper	Asks about other states and comments that the requirements in this bill don't seem to be practiced in other states.
375	Foley	All other states in the union, with this kind of legislation, have more liberal less restricted practices and guidelines.
TAPE 67, B		
005	Rep. Kruse	Asks if this bill could put Oregon in conflict with any federal agencies that regulate aliens, immigrants, and visa distribution.
010	Desnizza	* Finding cures in Oregon will be shared with the rest of the world. * Foreign doctors must be able to be licensed so they can share information, teach doctors the most up to date treatment and prevention, and bring their expertise to research studies.
050	Rep. Taylor	Asks about the word "cure" used in the double blind study report.
055	Desnizza	Asthma means "symptom" and the symptoms were taken away with treatment.
080	Rep. Taylor	Asks if the symptoms are relieved will they return.
083	Desnizza	The symptoms should not return however, if they do then treatment would be administered again.
110	Chair Milne	Asks how long the doctor has been in Oregon.
113	Desnizza	One and one half years.
	Chair Milne	Asks if the doctor has been involved with work in other states during the time that he has been in Oregon.
118	Desnizza	No, however he has been invited to the New York Medical School of

		Neurology to do research on MS.
123	Chair Milne	Asks if the doctor owns clinics in other countries and has staff running them.
125	Desnizza	Responds affirmatively. * He has also been a visiting physician in Russia. * Switzerland has offered him a professorship. * Germany has offered him a professorship.
137	Chair Milne	Asks Desnizza what brought him to Oregon.
138	Desnizza	* The chance to perform a double blind study and be involved in cutting edge treatment of a disease that is considered incurable. * The National College of Naturopathic Medicine in Portland offered this chance.
158	Kathleen Haley	Executive Director, Oregon Board of Medical Examiners testifies in regards to HB 3008. * The board has jurisdiction over the licensing and investigation of discipline over:

1. physicians and physician assistants

2. podiatrists

3. acupuncturists

4. respiratory care practitioners

* The board does not have jurisdiction over Naturopathic Physicians.

* The difficulty the board has with HB 3008 is the language in sub-section 3.

* Discusses a federal work group that convened to look at the issue of licensing international doctors.

* Explains that Oregon uses an exam called the USMLE.

* The federal work group found that all states required the USMLE exam.

191 Rep. Devlin Asks if the USMLE exam could be passed by a physician from another country.

196 Haley Would like to get in touch with the USMLE exam board and find out what they require before an individual can sit for the exam.

Rep. 213 Kruse Asks if the Oregon Board of Medical Examiners administers the test.

- 217 Haley * The USMLE is a national test.
 * The Board does not control the test.
- 220 Rep. Kruse Asks if there is only one exam that a foreign doctor goes to for licensure.
 Responds affirmatively.
- 224 * First a doctor passes the initial exam and then he/she may become board certified in a specialty.
- 235 Rep. Devlin Asks if the board has had discussions about reasonable requirements that a renowned international physician might meet to be licensed in the state.
 * Limited license mechanisms are available.
- 240 Haley * Discusses an alert of forged documents from Russian medical schools.
- 250 Rep. Taylor Asks if Dr. Desnizza might be qualified to test with the Naturopathic board.
- 255 Haley Does not feel qualified to answer for the Board of Naturopathic Medicine.
 Became aware of an Educational Commission for Foreign Medical Graduates.
 * non-profit group out of Philadelphia sponsored by the American Board of Medical Specialists
 * determining the qualifications of foreign medical graduates
 * placing foreign graduates in residencies and post-graduate work
- 312 Long
- 339 Chair Milne Closes the public hearing on HB 3008.
- 340 Chair Milne Adjourns the meeting at 2:25 p.m.

Submitted By, Reviewed By,

Diane M. Quinones, Lori A. Long,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 3091, written testimony, Peter Grundfossen, 2 pp.

B - HB 3091 -1 amendments dated 04/07/97, Staff, 1 p.

C- HB 3338, written testimony and information regarding Osteoporosis, Rep. Piercy, 16 pp.

D - HB 3338, information regarding education and treatment of Osteoporosis, Roberta Mansfield, 44 pp.

E - HB 3338, written testimony from Dept. Human Resources, Staff, 2 pp.

F - HB 3008, written documentation and memorandum, Doug Foley, 66 pp.

G - HB 3008, charts and graphs depicting double blind study, Dr. Desnizza, 3 pp.