

HOUSE COMMITTEE ON HUMAN RESOURCES

May 12, 1997 Hearing Room H-170

1:00 P.M. Tapes 100 - 101

MEMBERS PRESENT:

Rep. Patricia Milne, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Jeff Kruse

Rep. Jane Lokan

Rep. Kitty Piercy

Rep. Steve Harper

MEMBER EXCUSED: Rep. Richard Devlin

STAFF PRESENT:

Anne Tweedt, Committee Administrator

Diane M. Quinones, Administrative Support

MEASURE/ISSUES HEARD:

SB 969 Public Hearing / Work Session

SB 397 Public Hearing

SB 194 Public Hearing / Work Session

' SB 115 Public Hearing / Work Session

SB 21 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 100, A		
001	Chair Milne	Calls the meeting to order at 1:20 p.m.

013	Chair Milne	Opens a work session on SB 969.
<u>SB 969 PUBLIC HEARING</u>		
016	Anne Tweedt	Committee Administrator, summarizes the bill.
029	Ann Jackson	Executive Director, Oregon Hospice Association (OHA), testifies in support of SB 969. * OHA is a public benefit membership organization that ensures Oregonians have access to high quality hospice care. * OHA represents fifty five area hospice programs that want to see the passage of SB 969.
046	Chair Milne	Closes the public hearing on SB 969.
047	Chair Milne	Opens a work session on SB 969.

SB 969 WORK SESSION

**049 Rep. Taylor MOTION: Moves SB 969 to the floor with a DO PASS recommendation.
VOTE: 7-0**

**AYE: In a roll call vote, all members present vote Aye.
The motion CARRIES.**

064 Chair Milne REP. MILNE will lead discussion on the floor.

065 Chair Milne Closes the work session on SB 969.

066 Chair Milne Opens a public hearing on SB 397.

SB 397 PUBLIC HEARING

067 Tweedt Summarizes the bill.
Asks if there will be a work session today.

078 Rep. Lokan Comments that she is submitting amendments to be drafted by Legislative Counsel and would like the opportunity to present them to the committee.

081 Chair Milne Closes the public hearing on SB 397.

082 Chair Milne Opens a public hearing on SB 194

SB 194 PUBLIC HEARING

- 084 Tweedt Summarizes the bill.
District 23, testifies in support of SB 194.
- 097 Sen. Bill Fisher * Emergency medical technicians (EMTs) need to receive follow-up and evaluation information on the patients that they transport to hospitals.
- 112 Gregg Lander * This information is an invaluable tool for making sure EMTs are following proper procedures and providing appropriate care.
Section Manager, Emergency Medical Services, Health Division, submits and presents written testimony in support of SB 194 **(EXHIBIT A)**.
- 121 Rep. Taylor Asks if patient follow-up information could be released to other health systems as a result of this bill.
- 126 Tweedt Page one, lines 19 - 24 of the bill specifies this information would be treated as confidential medical records and considered privileged information, only to be used for quality assurance activities.
- 134 Chair Milne Closes the public hearing on SB 194.
- 135 Chair Milne Opens a work session on SB 194.

SB 194 WORK SESSION

- 136 Rep. Devlin **MOTION: Moves SB 194A to the floor with a DO PASS recommendation.**
VOTE: 7-0

AYE: In a roll call vote, all members present vote Aye.
The motion CARRIES.

- 153 Chair Milne **REP. DEVLIN will lead discussion on the floor.**

156 Chair Milne Closed the work session on SB 194.

157 Chair Milne Opens a public hearing on SB 115.

SB 115 PUBLIC HEARING

Summarizes SB 115 A.

This is a chiropractic omnibus bill that amends many sections of statute:

- 160 Tweedt * allowing the Board of Chiropractor Examiners (BCE) to refer alcoholic and drug addicted chiropractors to diversion programs
- * candidates for licensure be designated by number and not by name, and allows candidates to take the exam prior to graduation
- * allows chiropractors to accept treatment referrals from veterinarians

		<ul style="list-style-type: none"> * allows payment of annual registration fees by personal, corporate, or certified checks as well as money orders. * allows the BCE to approve continuing education programs that might be less than 20 hours in duration * changes the composition of the BCE adding 1 chiropractor and 1 public member
210	Dave McTeague	<p>Executive Director, BCE, testifies in support of SB 115A.</p> <p>President, BCE, submits and presents written testimony in support of SB 115-A (EXHIBIT B).</p>
220	Dr. Robert Hovenden	<ul style="list-style-type: none"> * particularly enthusiastic about increasing the board from 5 members to 7 members as the board is very busy * allowing applicants to take the license exam prior to graduation gets them into practice more quickly because the exam is only offered twice a year <p>Chiropractic Association of Oregon (CAO), testifies in support of SB 115-A.</p> <ul style="list-style-type: none"> * CAO is very interested in the expansion of the BCE membership.
248	Chuck Bennet	<ul style="list-style-type: none"> * There has been a long standing relationship with chiropractors and veterinarians, particularly with large animals, usually horses. * The Oregon Veterinary Medical Association and the BCE got together to develop language that would allow this relationship to continue in statute.
287	Rep. Piercy	<p>Asks for more information on the success rates regarding substance abuse diversion programs.</p> <ul style="list-style-type: none"> * The Board of Medical Examiners (BME) has used this program with a success rate that makes it worth hanging on to.
278	McTeague	<ul style="list-style-type: none"> * The hope is that an individual would take advantage of this program before complaints are filed and investigations are conducted. <p>Would like information on the success of the diversion program.</p>
295	Rep. Piercy	<p>Asks if there is opposition to this bill.</p> <ul style="list-style-type: none"> * There may be opposition somewhere, however, they have talked to many chiropractors across the state and found no opposition in their discussions.
317	Bennet	<ul style="list-style-type: none"> * The bill was amended based on continuing discussions and inclusive input within the profession.

338 Rep. Lokan Comments that she was visited by a pet owner who was in the habit of taking her pets to a chiropractor.

This visit made her think of what this could mean to gatekeepers and HMO plans.

353 Rep. Taylor Asks about the unusual issue of a student passing a licensure exam and being able to practice chiropractic medicine before graduating.
* They would not be in practice they would merely have passed the license exam.

356 Hovenden * No one begins treating people before they receive a diploma.

* This portion of the bill keeps students from having to wait a possible 6 months after graduation before they could take their boards.

368 Rep. Harper Asks about the success of increasing the board when it sounds like the board can't get volunteers to help at present.
* The BCE has a limitation of 5 volunteers to work the board at any one time.

356 Bennet * There is a great deal of work to handle among 5 people.

* Adding two more volunteers to the board's membership would spread the work load in a more manageable way and would keep the board from having to hire more staff help.

398 Rep. Harper Asks how the work load is measured.
* There is a fair amount of file review work and deliberation.

401 McTeague * Complaints that needed investigation of some level peaked 2 years ago and started a declining trend. In 1997 the trend is back on the rise.

TAPE 101, A

017 Amanda Williams Oregon Veterinary Medical Association, testifies in support of SB 115 A.

* requests that the relationship between chiropractors and veterinarians be a referral system continuing an existing partnership

031 Dennis O'Brian DC Chiropractic Physician, testifies in support of SB 115A.

039 Rep. Taylor Asks if chiropractors study animal anatomy.
There are several avenues to studying animal anatomy.

042 O'Brian * The American Veterinary Chiropractic Association

047 Steve Johnson DC Chiropractic Physician, submits written testimony in support of SB 115 (**EXHIBIT C**).

Explains the -A14 amendment (**EXHIBIT D**) that was not included in

059 Tweedt the A Engrossed bill but was adopted by the Senate Committee on Health and Human Services.
087 Chair Milne Closes the public hearing on SB 115.
088 Chair Milne Opens a work session on SB 115.

SB 115 WORK SESSION

091 Rep. Taylor **MOTION: Moves to ADOPT SB 115A-14 amendments dated 04/23/97.**

VOTE: 7-0

099 Chair Milne **Hearing no objection, declares the motion CARRIED.**

101 Rep. Taylor **MOTION: Moves SB 115A to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 6-1

AYE: 6 - Devlin, Kruse, Lokan, Piercy, Taylor, Milne

NAY: 1 - Harper

The motion CARRIES.

116 Chair Milne

REP. KRUSE will lead discussion on the floor.

124 Chair Milne Closes the work session on SB 115.

125 Chair Milne Opens a public hearing on SB 21.

SB 21 PUBLIC HEARING

Summarizes the bill and gives the committee some history of action taken on the bill in the Senate Health and Human Services Committee.

Discusses the workgroup that formulated the -10 amendments to SB 21A dated 05/09/97 (**EXHIBIT E**).

* formulating a consensus of existing legislation regarding patient protection issues

126 Tweedt * chaired by Kerry Barnett- DCBS and Barney Speight- OHP

* representatives of health plans, purchasers, providers, OMA, ONA, consumer representatives, Blue Cross, Kaiser, insurance associations, legislative committee administrators

Highlights the bill

* the bulk of the bill would provide consumer protection standards for managed care enrollees and prospective enrollees

* section 18 of the bill lists definitions

- * the bill prohibits termination of providers for communication with their patients in a manner that is not slanderous

- * providers making clinical decisions about hospital stays

- * Department of Consumer Business Services to form a health care consumer protection advisory committee

- * consumer disclosure information - enrollees understanding what they're getting

- * insurers providing coverage without prior authorization for emergency care

- * advising enrollees about covered 911 services

- * informing enrollees about grievance and appeal processes

Director, Department of Consumer and Business Services (DCBS), Co-Chair, Consumer Standards Workgroup, testifies in support of SB 21-A. providing the committee with more information about the Consumer Standards Workgroup.

- * discusses the history and effects of managed care

216

Kerry Barnett

- * Oregon needs controls and regulations regarding managed care to maximize consumer protection and health care quality as well as control costs

- * the consensus in SB 21 is fragile as a result of many proposals discussed in the workgroup

- * SB 21 is a market oriented approach

- * educating consumers to make informed decisions

Administrator, Oregon Health Plan Office, testifies in support of SB 21A.

- * One workgroup goal was to strengthen the confidence in managed care through the release of appropriate information.

Explains 4 standards of disclosure of information to enrollees

- * list of services

- * lists of rights

- * grievance and appeal information

* reporting information to DCBS

Managed care plans:

* must have a quality assurance program and file annual summary of quality assurance with DCBS

- 280 Barney Speight
- * must file public reports if involved with federal government, the Health Care Financing Administration and any credentialing agencies
 - * must disclose health promotion and disease prevention
 - * file scope of provider network with DCBS
 - * providing patient input to the governing body of the plan

TAPE 100, B

- 001 Speight Continues presentation of -10 amendments to SB 21A.
- 025 Rep. Lokan Asks if the Co-Chairs of the workgroup feel the fiscal impact reflects high administrative costs.
- * The impact is a best guess estimate.
 - * The bill must have adequate enforcement.
- 031 Barnett
- * A substantial portion of the increase in administrative costs will come from consumer complaints since the bill requires disclosure from health plans of any appeals or grievances.
- 047 Rep. Lokan Asks if the increase in FTE is 3.
- 050 Barnett The bill will require an increase of 2.5 FTE.
- House District 2, submits and presents testimony in support of SB 21-A13 dated 05/12/97 (**EXHIBIT F**).
- 068 Rep. Tim Jossi
- * discusses the need for providing health coverage to pregnant teenagers
- House District 41, testifies in support of SB 21-A11 dated 05/12/97 (**EXHIBIT G**).
- * the -11 amendments reflect HB 2882, HB 3233, and HB 2880
- 135 Rep. Cynthia Wooten
- * legislation from the 1993 session required plans to pay for mammograms for women at the base line age of 50 years
 - * ten women each week die from breast cancer in Oregon
 - * discusses payments from insurance providers for extended hospital stays

* providers need to pay for prosthetic services

* all other parts of the body are covered for prosthetic services

220 Rep. Barbara Ross House District 35, testifies in support of SB 21-A 11.

* has two sisters who have gone through radical mastectomies

284 Lee Smith President, Oregon Breast Cancer Coalition, submits and presents written testimony in support of SB 21- A 11 **(EXHIBIT H)**.

* the fear of losing a breast keeps women from getting early diagnosis and treatment

380 Pat Kabele Oregon Nurses Association, testifies in support of SB 21 A.

* extended hospitalization allows access to all medical treatment

400 Pat Jacobson Staff Nurse, Willamette Falls Hospital, Oregon Nurses Association, submits and presents written testimony in support of SB 21A **(EXHIBIT I)**.

TAPE 101, B

001 Jacobson Continues presentation.

035 Patti Brandon Women's health care nurse practitioner, Portland, Oregon Nursing Association, submits and presents written testimony in support of SB 21 A **(EXHIBIT J)**.

084 Rep. Taylor Asks if the bill adequately addresses the concerns regarding prescription drugs.

085 Brandon Discussions between the health practitioner and the patient regarding medical needs should take place without the influence of the insurance provider.

Legislative Contact, National Organization of Social Workers, Oregon Chapter, testifies in support of the bill as written and supports the -13 amendments from Rep. Jossi.

095 Kathy Savicki * presents written information on mental health coverage **(EXHIBIT K)**

* choices in behavioral health care (mental health coverage) must be available to consumers

* consumers need information on mental health providers before making a selection

178 Jeff Heatherington President, Family Care Health Plans, submits and presents written testimony in regards to SB 21 A **(EXHIBIT L)**.

* discusses concerns with language in the bill

295 Staff Submits additional written testimony regarding SB 21 **(EXHIBIT M)**.

302 Chair Milne Closes the public hearing on SB 21.

305 Chair Milne Adjourns the meeting at 3:10 p.m.

Submitted By, Reviewed By,

Diane M. Quinones, Anne Tweedt

Administrative Support Administrator

EXHIBIT SUMMARY

A - SB 194, written testimony, Gregg Lander, 1 p.

B - SB 115, written testimony, Bob Hovenden, 1 p.

C - SB 115, written testimony, Steve Johnson, 39 pp.

D - SB 115 -A14 amendments dated 05/12/97, Staff, 1 p.

E - SB 21 -A10 amendments dated 05/09/97, Staff, 3 pp.

F - SB 21, written testimony, Rep. Josi, 2 pp.

G - SB 21 -A11 amendments dated 05/12/97, Rep. Wooten, 3 pp.

H - SB 21, written testimony, Lee Smith, 2 pp.

I - SB 21, written testimony, Pat Jacobson, 3 pp.

J - SB 21, written testimony, Patti Brandon, 2 pp.

K - SB 21, health plan information, Kathy Savicki, 5 pp.

L - SB 21, written testimony, Jeff Heatherington, 3 pp.

M - SB 21, written testimony submitted to staff prior to hearing, Staff, 5 pp.