

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE ON CIVIL LAW

April 4, 1997 Hearing Room 357

1:00 P.M. Tapes 54 - 55

MEMBERS PRESENT:

Rep. Lane Shetterly, Chair

Rep. Judith Uherbelau, Vice-Chair

Rep. Roger Beyer

Rep. Jo Ann Bowman

Rep. George Eighmey

Rep. Floyd Prozanski

Rep. Charles Starr

Rep. Larry Wells

MEMBER EXCUSED:

STAFF PRESENT:

David J. Amesbury, Counsel

Andrea Terry, Administrative Support

MEASURE/ISSUES HEARD:

HB 3221

SB 252

SB 269

SB 268

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
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Tape 54, A		
003	Chair Shetterly	opens meeting at 1:12
<u>SB 252-- WORK SESSION</u>		
013	Shetterly	open work session on SB 252
014	Amesbury	explains SB 252
022	Prozanski	MOTION: Moves SB 252 to the full committee do pass.
025	Rep. Beyer	I don't think this is a good idea I won't support this because there has only been one case
032	Shetterly	I will respond on the record that this statute won't take up very much space and that is there even one case it affects someone
037	Rep. Uherbelau	there may have only been one case, but there is the potential for others
042	Staff	"Beyer"
043	Beyer	"no"
044	Staff	"Bowman"
045	Bowman	"yes"
046	Staff	"Prozanski"
047	Prozanski	"aye"
048	Staff	"Starr"
049	Starr	"aye"
050	Staff	"Uherbelau"
052	Uherbelau	"aye"
053	Staff	"Shetterly"
054	Shetterly	"aye" Wells and Eighmey are both excused
055	Shetterly	motion carries Rep. Bowman will carry
<u>SB 269-- WORK SESSION</u>		
057	Shetterly	open work session on SB 269
060	Amesbury	explanation of bill
061	Prozanski	MOTION: Moves to full committee with do pass recommendation.

064	Beyer	can't this be better done by using the regions of the state
069	Bob Oleson	Oregon State Bar addresses the regions of the state
079	Beyer	it doesn't say that in the bill
081	Shetterly	for the purposes of the Bar the state is broken up into regions
090	Oleson	currently there are six regions, we may end up with more regions
107	Staff	"Beyer"
108	Beyer	"no"
109	Staff	"Bowman"
110	Bowman	"yes"
111	Staff	"Prozanski"
112	Prozanski	"aye"
113	Staff	"Starr"
114	Starr	"aye"
115	Staff	"Uherbelau"
116	Uherbelau	"yes"
117	Staff	"Shetterly"
118	Shetterly	"yes" motion carries Rep. Prozanski will carry
<u>SB 268-- WORK SESSION</u>		
125	Shetterly	opens work session on SB 268
126	Amesbury	explains SB 268
132	Jim Kennedy	Attorney with Kennedy and Kennedy
133	Kennedy	EXHIBIT A EXHIBIT B
201	Chris Davie	SAIF Corporation
210	Greg Malkasion	Manager of the Compliance Section of Worker's Compensation Division
212	Malkasion	refers to Section 6
220	Shetterly	gives example if he and Uherbelau owned a company
275	Malkasion	responds to example
		SAIF Corporation

279	Patrick Gallagher	discusses partnerships
299	Shetterly	how do corporations and partnerships work now
310	Gallagher	if there is an oral partnership how do you do checks on it discusses dissolution of partnerships
330	Shetterly	if there is a change in partnerships then shouldn't the company/partnership notify SAIF
340	Gallagher	that is a possibility
345	Kennedy	the basic problem is that there is no central filing place for limited partnerships you run into some problems if you don't let outsiders know that the ownership of the partnership has changed (i.e. a lease)
408	Shetterly	let's have all parties get together on the amendments and we will bring back at a later date
Tape 55, A		
070	Shetterly	closes work session on SB 268
010	Shetterly	reconvenes hearing at 1:56 opens public hearing on HB 3221
025	Patricia Glidden	requester of bill
029	Glidden	history of HB 3221
030	Uherbelau	are volunteers used now
035	Glidden	yes, I volunteer presently
038	Uherbelau	don't most nurse practitioners carry their own insurance
042	Glidden	most are encouraged to do so, but it is not something that is mandated
048	Prozanski	isn't there some kind of umbrella coverage by the facilities
051	Glidden	yes, but having other insurance would be a help
061	Shetterly	this came from North Carolina
064	Glidden	yes, and I added some clarification to make it specific to Oregon the bill I drafted was quite simple
071	Rep. Bowman	expectation that someone who has been trained as a health care could you help me understand why this is necessary
077	Glidden	my understanding is that it would reduce the bill
080	Bowman	I don't think that is true, I believe they are still required to have a certain level of liability insurance
		I think if we had the statute it would lower the liability and lower the

086	Rep. Starr	premium
089	Prozanski	comments on premium costs
098	Bowman	distinction between health care provider and volunteer
102	Prozanski	who qualifies as a health care provider
110	Starr	I think if we want to raise the level of competence of the volunteers then this is a good provision
129	Glidden	I volunteer in private nonprofit health clinic there is a close linkage with the county
135	Uherbelau	comments on negligence
158	Glidden	the definitions I provided went through what a health care provider is
177	Tim Krale	Legislative Assistant to Representative Rasmussen
183	Rasmussen	gives background on this bill
200	Bowman	the neighborhood clinic has been around a long time in NE Portland this clinic knows that a certain amount of insurance must be paid to keep the volunteers coming in
223	Bowman	when this was presented to you, was there a group of people who wanted to start a health facility
228	Glidden	I have great hopes that this could happen
239	Uherbelau	I would suggest that health care volunteers be mandated to carry insurance
246	Shetterly	close public hearing on HB 3221 adjourns meeting at 2:20pm

Submitted by, Reviewed by,

Andrea Terry, David J. Amesbury,

Administrative Support Counsel

EXHIBIT SUMMARY

A - Memorandum on SB 268 - introduced by J. Kennedy - 4 pages

B - Proposed amendments to SB 268A - introduced by J. Kennedy - 1 page