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SENATE COMMITTEE ON EDUCATION

March 31, 1997 Hearing Room 343

3:00 P.M. Tapes 68 - 69

MEMBERS PRESENT:

Sen. Marylin Shannon, Vice-Chair

Sen. Ken Baker

Sen. Susan Castillo

Sen. Gary George

Sen. Cliff Trow

MEMBER EXCUSED:

Sen. Tom Hartung, Chair

STAFF PRESENT:

Jan McComb, Administrator

Shirley Spendal, Administrative Support

MEASURE/ISSUES HEARD:

HB 2535 A - Public Hearing

SJR 33 - Public Hearing and Work Session

SR 1 - 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 68, A		
001	Vice Chair Shannon	Opens hearing at 3:10 p.m. Opens public hearing, SJR 33.
<u>SJR 33 - PUBLIC HEARING</u>		
011	Sen. Mae Yih	District 19. Supports bill, requests send to Ways and Means
		(speaks to problems in teen pregnancies
		(discusses Best Friends program, STARS program
		(bill starts with fourth, fifth graders to teach abstinence, goal settings, responsibilities, accountabilities throughout school years - gives consistent message, support
		(discusses history of bill, implementation
		(discusses being one of preventions to match federal dollars
046	Vice Chair Shannon	Asks if have school districts in mind for projects.
048	Sen. Yih	(discusses encouraging education department to give out information about this program, encourage volunteer schools
		(discusses STARS statistics holding, no reduction - only implemented a year
072	Sen. Baker	Questions about mechanics of bill.
074	Sen. Yih	(to be technically correct need companion bill for funding
		(discusses not needing companion bill last session
		(bill not mandate, an encouragement
097	Vice-Chair Shannon	Closes public hearing, SJR 33; opens public hearing, SR 1.
<u>SR 1 - PUBLIC HEARING</u>		
099	Sen. Len Hannon	District 26. Supports bill. Discusses resolution urging funding for arts and humanities. Discusses Oregon Shakespearean Festival in his district.
117	Vice Chair Shannon	Closes public hearing, SR 1; opens public hearing, HB 2535A.
<u>HB 2535A - PUBLIC</u>		

HEARING		
		(EXHIBIT A), amendment, distributed to committee.
121	Ross Day	Legislative Director Rep. Snodgrass's office. House District 10. Here to testify on her behalf. Supports bill. Submits (EXHIBIT B).
		(discusses history of bill in house and amendment
		(discusses Debbie Burton's daughter's case
155	Vice Chair Shannon	Asks about training of personnel to give medication.
159	Day	Estimate of hour for training; minimal fiscal impact.
176	Sen. Baker	Discusses his child taking medication. Asks if he could self-administer. Discusses current policy.
190	Sen. Trow	Asks about Section 1. Discusses sentence not making sense.
213	Sen. Castillo	Discusses bill doing two things.
217	Day	Discusses language of bill.
228	Eugene Organ	Executive Director of Oregon Disability Commission. Supports bill. Submits (EXHIBIT C).
		(discusses students with disabilities mainstreamed into public education - many of those students need medication
259	Tricia Smith	Oregon School Employees Association. Supports bill with addition of amendment. Submits (EXHIBIT D).
		(represents those most affected by this bill
		(discusses training varying from district to district
		(concern about trained personnel being immune from liability, no requirement to be trained - amendment put requirement in bill
TAPE 69, A		
003	Smith	(believe people administering medication should be trained prior to giving medication
		(section 1 eliminates liability protection, but does not prevent from being directed to administer medication
023	Sen. Baker	Asks about training.
026	Smith	Discusses training lasting an hour. Discusses educational assistants giving all kinds of medication. Comfortable with language which directs consultation with nursing, pharmacy.
039	Sen. Baker	States he has a concern with short training.
046	Smith	Discusses discussion with Ross of Rep. Snodgrass' office.
059	Sen. Trow	States need training to be more complete.
070	Wilma Wells	Confederation of Oregon School Administrators. Supports bill. Does not support -5 amendments. Submits (EXHIBIT E). Gives background of bill. Bill does not include giving injectable medication except for medicine for acute allergic reaction. Discusses process of administering

		medication.
120	Dee Kathryn Bauer	Registered Nurse. Director of Department of School Health Service for Multnomah Education District. Supports bill. Submits (EXHIBIT F). Discusses her program.
		(discusses past law being unsafe
		(20-30 percent of student population need some type of assistance with health care during school day
		(training can be done within an hour - discusses training at her schools
		(Oregon is one of few states not having mandated school nurses - instruction being diverted to health care rather than teaching
159	Vice Chair Shannon	Asks if she supports amendments.
162	Bauer	Discusses not expecting untrained person to give medication.
169	Sen. Trow	Questions concerning giving insulin shots, possible reaction.
172	Wells	Another bill in house speaking to insulin, other injectables.
176	Bauer	Discusses bill not addressing injectable medication. Discusses process of insulin injection now. Discusses understanding bill to not mean injectable medication.
193	Sen. Castillo	Asks who gives injections.
196	Bauer	States they call her and she gathers needed information. Discusses falling under individual delegation plan, not under this generic plan. Discusses children being unsafe.
208	Vice Chair Shannon	Asks about -5 amendments if adopted - would it become unfunded mandate.
210	Wells	States yes.
211	Sen. Baker	Disagrees as practice is going on now. Saying if you want to do it, here is how you do it. School district could elect not to do it.
218	Bauer	Discusses videos developed for training purposes. Impact would be minimal.
223	Brian DeLashmutt	Oregon Nurses Association (ONA). Supports bill. -5 amendments are in part suggestions ONA had to clarify intent
		(discusses history of amendments
		(best scenario is a nurse doing injectables, non-injectables
		(discusses issue of mainstreaming
		(discusses amendment, lines 2-10, a rewrite of existing language - just in a different format; lines 11-13 issue Oregon School Employees raised
		(only issue ONA wishes to raise is issue of non-injectables and injectables - in bill chosen to separate out
273	Sen. Baker	Asks if on section 1 if should clarify this as non-injectable medication.
TAPE 68, B		

002	DeLashmutt	Discusses his way of looking at bill. Two different issues in bill - covering immunity and setting training procedures. Section one is immunity piece. Could be injectables or non-injectables.
018	Sen. Baker	Discusses distinctions in bill.
030	Greg McMurdo	Department of Education. Supports bill. First sentence strictly liability. States does not know if any distinction between oral and injected medications. This is mandate. Intent to create procedure for student to self-medicate, trained personnel to medicate. States bill necessary, asks to be allowed to work on it.
068	Vice Chair Shannon	Talk to Sen. Hartung about work group on bill.
073	Bob Duehmig	American Federation of Teachers. Supports bill, -5 amendments. Concur with Greg McMurdo to work on bill.
089	Vice Chair Shannon	Closes public hearing, HB 2535 A; opens work session, SJR 33.
<u>SJR 33 - WORK SESSION</u>		
092	Vice Chair Shannon	Discusses voting bill out.
102	Sen. Baker	MOTION: Moves SJR 33 to the floor WITHOUT RECOMMENDATION and BE REFERRED to the committee on Ways and Means by prior reference.
104	Vice Chair Shannon	VOTE: Hearing no objection, declares the motion CARRIED.
		Closes work session, SJR 33; opens public hearing, SR 1.
<u>SR 1 - PUBLIC HEARING</u>		
120	Dave Fiskum	Representing Oregon Advocates for Arts. Supports bill. States embodies aspiration to increase federal funding for arts.
133	Elaine Young	Executive Director of Oregon Advocates for the Arts. Supports bill. Submits (EXHIBIT G), Discusses importance of federal funding. Bill seen as leadership bill in this country.
154	Vice Chair Shannon	Asks about involvement in Goals 2000.
155	Young	Goals 2000 is money that comes from federal education department, funds directed to State Department of Education. Discusses members working with teachers, programs.
165	Sen. Baker	Discusses proposed federal budget.
188	Christine D'Arcy	Director, Oregon Arts Commission. Submits (EXHIBIT H). Supports bill. Largest grantee in Oregon for receipt of funds for arts. Official state arts agency for state. Discusses relationship with National

		Endowment for Arts.
213	Vice Chair Shannon	Closes public hearing on SR 1. Adjourns at 4:26 p.m.

Submitted By, Reviewed By,

Shirley Spendal, Jan McComb,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - HB 2535, Amendments, staff, 1 pg.

B - HB 2535, Testimony, Ross Day, 10 pg.

C - HB 2535, Testimony, Eugene Organ, 1 pg.

D - HB 2535, Testimony, Tricia Smith, 2 pg.

E - HB 2535, Testimony, Wilma Wells, 1 pg.

F - HB 2535, Testimony, Dee Kathryn Bauer, 2 pg.

G - SR 1, Testimony, Elaine Young, 1 pg.

H - SR 1, Testimony, Christine D'Arcy, 2 pg.
