

—

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

May 13, 1997 Hearing Room B

3:00 P.M. Tapes 90 - 91

MEMBERS PRESENT:

Sen. Bill Fisher, Chair

Sen. Jeannette Hamby, Vice-Chair

Sen. Lenn Hannon

Sen. Marylin Shannon

Sen. Susan Castillo

Sen. Thomas Wilde

MEMBER EXCUSED:

STAFF PRESENT:

Anne E. Tweedt, Administrator

Sandy Thiele-Cirka, Administrative Support

MEASURES/ISSUES HEARD:

HB 2860A Public Hearing and Work Session

HB 3561A Public Hearing and Work Session

HB 3112A Public Hearing and Work Session

HB 3714A Public Hearing and Work Session

HB 2127 Public Hearing and Work Session

SB 1182 Work Session

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 90, A		
003	Chair Fisher	Calls meeting to order at 3:09pm, open public hearing on HB 2860A.
<u>HB 2860A PUBLIC HEARING</u>		
010	Rep. Bob Repine	District 49, provides testimony in support of HB 2860A and the -A2 amendments (EXHIBIT A).
051	Chair Fisher	Closes public hearing on HB 2860A, opens work session on HB 2860A.
<u>HB 2860A WORK SESSION</u>		
052	Sen. Hannon	MOTION: Moves to ADOPT HB 2860-A2 amendments dated 05/12/97.
055	Chair Fisher	Hearing no objection, declares the motion CARRIED.
056	Sen. Hannon	MOTION: Moves HB 2860A to the floor with a DO PASS AS AMENDED recommendation.
059		VOTE: 6-0 AYE: 6 - Castillo, Hamby, Hannon, Shannon, Wilde, Fisher
	Chair Fisher	The motion CARRIES. SEN. HANNON will lead discussion on the floor.
063	Chair Fisher	Closes work session on HB 2860A, open public hearing on HB 3561A.
<u>HB 3561A</u>		

<u>WORK SESSION</u>		
069	Rep. Jane Lokan	District 25, provides summary and testimony in support of HB 3561A (EXHIBIT B).
088	John Gervais	Representing Oregon Hearing Society, provides testimony in support of HB 3561A.
091	Susan Wilson	Administrator, Health Division Licensing Programs, Advisory Council to the Health Division on Hearing Aids, provides testimony in support of HB 3561A (EXHIBIT C).
119	Sen. Hannon	Questions if there are any additional amendments.
121	Rep. Lokan	Responds no.
123	Chair Fisher	Closes public hearing on HB 3561A, opens work session on HB 3561A.
<u>HB 3561A WORK SESSION</u>		
126	Sen. Hannon	MOTION: Moves HB 3561A to the floor with a DO PASS recommendation.
131		VOTE: 6-0 AYE: 6 - Castillo, Hamby, Hannon, Shannon, Wilde, Fisher
	Chair Fisher	The motion CARRIES. SEN. WILDE will lead discussion on the floor.
141	Chair Fisher	Announces that SB 744 will be rescheduled on Thursday, May 15, 1997. Closes work session on HB 3561A, opens public hearing on HB 3112A.
<u>HB 3112A WORK SESSION</u>		
167	Charles Sheketoff	Oregon Law Center, represents the Oregon Human Rights Coalition, provides testimony in support of HB 3112A.
185	Clarice Bailey	Executive Director, The Oregon Coalition Against Domestic and Sexual Violence (OCADSV), provides testimony in support of HB 3112A (EXHIBIT D).
233	Sandie Hoback	Administrator, Adult and Family Services, provides testimony in support of HB 3112A.
252	Vice-chair	Comments in support of HB 3112A.

	Hamby	
259	Sen. Shannon	Questions if this bill is going to provide counseling for victims of domestic violence.
268	Sheketoff	Responds with definition of domestic violence and clarification that this bill does not target divorce court, but that the agency recognize that domestic violence may be a barrier and to work with the victim in obtaining support.
308	Sen. Shannon	Questions if the accused discontinues mediation, will benefits be denied.
312	Sheketoff	Responds that this bill does not address mediation or divorces.
339	Sen. Shannon	Questions if this bill addresses the commitment of marriage.
341	Sheketoff	Responds this bill does not encourage or discourage marriage.
347	Bailey	Comments that the intent of the bill is to protect individuals that have been identified as victims of domestic violence.
358	Sen. Wilde	Questions section 2, subsection 3d language, controlling behavior.
378	Hoback	Responds that this bill is not making anything illegal, this language is included to assist case managers in establishing dialog with potential victims.
403	Sen. Wilde	Questions if this language is being used to determine a course of action, not creating new statutes.
413	Hoback	Responds affirmatively.
423	Chair Fisher	Closes public hearing on HB 3112A, opens public hearing on HB 3714A.
<u>HB 3714A</u>		
<u>WORK</u>		
<u>SESSION</u>		
432	Rep. Ken Strobeck	District 6, provides testimony in support of HB 3714A (EXHIBIT E).
<u>TAPE 91, A</u>		
047	Vice-chair Hamby	Questions if this bill prevents students from self injecting.
049	Rep. Strobeck	Responds that a student would not be able to administer their own injection.
052	Vice-chair Hamby	Questions if insulin and epinephrine are currently in statute.
054	Rep. Strobeck	Responds that this bill addresses epinephrine.
061	Vice-chair Hamby	Comments that epinephrine is currently in statute.
063	Rep. Strobeck	Responds that this bill replaces current language.

092	Kevin Dougherty	Volunteer, representing American Diabetes Association, provides testimony in support of HB 3714A (EXHIBIT F).
111	Grant Higginson	State Health Officer, Deputy Administrator Oregon Health Division, provides testimony in support of HB 3714A.
126	Sen. Hannon	Comments on the importance and the need for education.
138	Higginson	Responds in agreement.
145	Vice-chair Hamby	Comments on the medi-alert bracelet.
150	Chair Fisher	Closes public hearing on HB 3714A, opens work session on HB 3714A.
<u>HB 3714A</u> <u>WORK</u> <u>SESSION</u>		
152	Sen. Hamby	MOTION: Moves HB 3714A to the floor with a DO PASS recommendation.
156		VOTE: 5-0-1 AYE: 5 - Castillo, Hamby, Hannon, Wilde, Fisher EXCUSED: 1 - Shannon
	Chair Fisher	The motion CARRIES. SEN. HAMBY will lead discussion on the floor.
163	Chair Fisher	Closes work session on HB 3714A, opens public hearing on HB 3112A.
<u>HB 3112A</u> <u>PUBLIC</u> <u>HEARING</u>		
171	Marcia Latta	Representing Women's Rights Coalition, provides testimony in support of HB 3112A (EXHIBIT G).
188	Layne Barlow	Oregon Men's Association, provides testimony in opposition to HB 3112A (EXHIBIT H).
217	Vice-chair Hamby	Requests that the witness testify to the bill.
221	Barlow	Responds that he is unable to locate a definition of controlling behavior.
245	Vice-chair Hamby	Questions how HB 3112A is constitutionally vague and opens the state for a class action lawsuit for creating a suspect class.
		Responds that the Department of Community and Family Services for Multnomah County presumes that domestic violence has occurred in

250	Barlow	all contested or mediated divorce, custody or visitation cases. Notes that this agency is anti-men, anti-father.
284	Vice-chair Hamby	Comments that HB 3112A is a non-gender bill.
285	Barlow	Responds by reciting ORS 108 and noting that men and their children do not receive domestic violence funds. Questions why services are not available to men and their children.
310	Vice-chair Hamby	Responds that she does not know.
327	Barlow	Comments on section 2, subsection d-f, which waives all compliance penalties. Notes that domestic violence has not been criminalized.
376	Jeff Mills	Private citizen, provides testimony in opposition to SB 3112A.
419	Chair Fisher	Questions the data being provided.
425	Mills	Responds that the information was obtained from the Family Violence Survey, 1985.
439	Chair Fisher	Requests that the witness directs testimony to the bill.
442	Mills	Responds with concerns about requiring counseling for suspected behavior and continues testimony noting that this bill is not fair or equitable.
TAPE 90, B		
007	Chair Fisher	Questions if this bill is gender neutral.
008	Mills	Responds no. Continues testimony.
061	Chair Fisher	Questions the intent of 'at risk of domestic violence'.
065	Sheketoff	Responds this language relates to the cycle of abuse that is present in the victim's life.
072	Chair Fisher	Comments that that language is not defined in the bill.
080	Sheketoff	Responds that this language relates to an individuals possibility of becoming a victim.
094	Sen. Castillo	Comments that at risk relates to the behavior.
100	Chair Fisher	Notes concerns about this language not being defined.
114	Hobeck	Provides background data and clarification. Notes that it is the agency's goal to move families from welfare to work and self-sufficiency.
156	Chair Fisher	Requests a better definition of 'at risk of'.
176	Sheketoff	Comments in support of the agency and the programs they provide.
190	Chair Fisher	Closes public hearing on HB 3112A, opens work session on HB 3112A.
<u>HB 3312A</u> <u>WORK</u> <u>SESSION</u>		
	Sen.	MOTION: Moves HB 3112A to the floor with a DO PASS

192	Hamby	recommendation.
195		VOTE: 4-1-1 AYE: 4 - Castillo, Hamby, Wilde, Fisher NAY: 1 - Hannon EXCUSED: 1 - Shannon
	Chair Fisher	The motion CARRIES. SEN. HAMBY will lead discussion on the floor.
202	Chair Fisher	Closes work session on HB 3112A, opens public hearing on HB 2127.
<u>HB 2127</u> <u>PUBLIC</u> <u>HEARING</u>		
215	Carol Fleming	Administrator Board of Licensed Professional Counselors and Therapists, provides testimony in support of HB 2127 (EXHIBIT I).
339	Greg Leo	Representing Oregon Mental Health Alliance, provides testimony in support of HB 2127 (EXHIBIT J).
366	Linda James	Licensed professional counselor, provides testimony in support of HB 2127.
406	Win Priest	Certified rehabilitation counselor, President, National Rehabilitation Counselors Association, Oregon Chapter and Pacific Region, provides testimony in support of HB 2127.
432	Chair Fisher	Closes public hearing on HB 2127, opens work session on HB 2127.
<u>HB 2127</u> <u>WORK</u> <u>SESSION</u>		
437	Sen. Hannon	MOTION: Moves HB 2127 to the floor with a DO PASS recommendation.
443		VOTE: 5-0-1 AYE: 5 - Castillo, Hamby, Hannon, Wilde, Fisher EXCUSED: 1 - Shannon
	Chair Fisher	The motion CARRIES. SEN. HANNON will lead discussion on the floor.
451	Chair Fisher	Closes work session on HB 2127, opens work session on SB 1182.
<u>SB 1182</u>		

WORK SESSION		
TAPE 91, B		
007	Tom Gallagher	Summarizes the -3 amendments (EXHIBIT K).
024	Sen. Bob Kintigh	District 22, provides testimony in support of SB 1182 and -3 amendments.
041	Gallagher	Continues summary.
103	Bill Wilber	Cottage Grove Hospital, provides testimony in support of the -3 amendments.
123	Sen. Hamby	MOTION: Moves to ADOPT SB 1182-3 amendments dated 05/13/97 and that the measure be FURTHER AMENDED on page 1, line 15, delete "with five days" and on page 1, line 19, insert "was" after "application".
129	Gallagher	Corrects the first conceptual amendment.
150	Chair Fisher	Requests making the amendment corrections in the House.
154	Sen. Hamby	Withdraws the motion.
157	Sen. Hamby	MOTION: Moves to ADOPT SB 1182-3 amendments dated 5/13/97.
159	Chair Fisher	Hearing no objection, declares the motion CARRIED.
160	Sen. Hamby	MOTION: Moves SB 1182 to the floor with a DO PASS AS AMENDED recommendation.
163		VOTE: 4-0-2 AYE: 4 - Castillo, Hamby, Wilde, Fisher EXCUSED: 2 - Hannon, Shannon
	Chair	The motion CARRIES. SEN. KINTIGH will lead discussion on the floor.
171	Chair Fisher	Closes work session on SB 1182, adjourns the meeting at 5:20pm .

Submitted By, Reviewed By,

**Sandy Thiele-Cirka, Anne E. Tweedt,
Administrative Support Administrator**

-

EXHIBIT SUMMARY

A - HB 2860A, -A2 amendments, Rep. Bob Repine, 1pp

B - HB 3561A, Written testimony, Rep. Jane Lokan, 1pp

C - HB 3561, Health Division Licensing Programs, Susan Wilson, 1pp

D - HB 3112A, Oregon Coalition Against Domestic and Sexual Violence, Clarice Bailey, 1pp

E - HB 3714A, Written testimony, Rep. Ken Strobeck, 2pp

F - HB 3714A, American Diabetes Association, Kevin Dougherty, 2pp

G - HB 3112A, Women's Rights Coalition, Marcia Latta, 1pp

H - HB 3112A, Oregon Men's Association, Layne Barlow, 5pp

I - HB 2127, Oregon Board of Professional Counselors & Therapists, Carol Fleming, 3pp

J - HB 2127, Oregon Mental Health Counselors Alliance, Greg Leo, 2pp

K - SB 1182, -3 amendments, Tom Gallagher, 5pp
