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SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

May 15, 1997 Hearing Room B

3:00 P.M. Tapes 92 - 94

MEMBERS PRESENT:

Sen. Bill Fisher, Chair

Sen. Lenn Hannon

Sen. Marylin Shannon

Sen. Susan Castillo

Sen. Thomas Wilde

MEMBER EXCUSED: Sen. Jeannette Hamby, Vice-chair

STAFF PRESENT:

Anne E. Tweedt, Administrator

Sandy Thiele-Cirka, Administrative Support

MEASURES/ISSUES HEARD:

HJR 67 Public Hearing and Work Session

HB 2827 Public Hearing and Work Session

HB 2714A Public Hearing and Work Session

HB 2749A Public Hearing and Work Session

SB 966 Work Session

SB 744 Work Session

SB 729 Work Session

HB 2860A 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 92, A		
004	Chair Fisher	Calls meeting to order at 3:15pm, opens public hearing on HJR 67.
<u>HJR 67 PUBLIC HEARING</u>		
011	Mary Jane Hunt	Executive Director, Oregon Donor Program, provides summary and testimony in support of HJR 67 (EXHIBIT A).
037	Anne Tweedt	Policy analyst, summarizes the HJR 67 -1 amendments (EXHIBIT B).
043	Chair Fisher	Closes public hearing on HJR 67, opens work session on HJR 67.
<u>HJR 67 WORK SESSION</u>		
045	Sen. Hannon	MOTION: Moves to ADOPT HJR 67-1 amendments dated 05/15/97.
047	Chair Fisher	Hearing no objection, declares the motion CARRIED.
048	Sen. Hannon	MOTION: Moves HJR 67 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
052		VOTE: 5-0-1 AYE: 5 - Castillo, Hannon, Shannon, Wilde, Fisher EXCUSED: 1 - Hamby
	Chair Fisher	The motion CARRIES.

		SEN. HANNON will lead discussion on the floor.
055	Chair Fisher	Closes work session on HJR 67, opens public hearing on HB 2827.
<u>HB 2827 PUBLIC HEARING</u>		
065	Randy Ealy	Representing Oregon Dental Hygienists' Association, provides testimony in support of HB 2827 (EXHIBIT C).
090	Lynn Ironside	Chair, Oregon Dental Hygienists' Association Government Relations, provides testimony in support of HB 2827.
119	Ealy	Acknowledges the support of the Oregon Dental Association.
123	H. Clayton Sterns	President, Oregon Board of Dentistry, provides testimony in support of HB 2827.
148	Chair Fisher	Submits written testimony in support of HB 2827 from the Oregon Board of Dentistry (EXHIBIT D). Closes public hearing on HB 2827, opens work session on HB 2827.
<u>HB 2827 WORK SESSION</u>		
155	Sen. Hannon	MOTION: Moves HB 2827 to the floor with a DO PASS recommendation.
159		VOTE: 5-0-1 AYE: 5 - Castillo, Hannon, Shannon, Wilde, Fisher EXCUSED: 1 - Hamby
	Chair Fisher	The motion CARRIES. SEN. WILDE will lead discussion on the floor.
163	Chair Fisher	Closes work session on HB 2827, opens public hearing on HB 2714A.
<u>HB 2714A PUBLIC HEARING</u>		
171	Timothy Travis	Juvenile Rights Project, summarizes and provides testimony in support of HB 2714A.
189	Sen. Shannon	Questions if aunts and uncles are included in this bill.
194	Travis	Responds affirmatively.
207	Victor Congleton	Program Manager, Child Protective and Family Treatment Services, provides testimony in support of HB 2714A (EXHIBIT E). Proposes a language change in section 2 to include the Indian Child

		Welfare Act, 1978.
230	Sen. Hannon	Questions if the House is in agreement with this proposed amendment.
244	Congleton	Responds that to the best of his knowledge the house members are supportive.
248	Travis	Continues explanation of proposed language changes.
257	Sen. Hannon	Comments on concerns regarding the addition of new amendments.
272	Sen. Shannon	Notes that federal law supersedes any state statutes, questions if this bill is attempting to value the external family in a similar manner that the Indian culture does.
290	Travis	Responds affirmatively.
296	Chair Fisher	Closes public hearing on HB 2714A, opens work session on HB 2714A.
<u>HB 2714A</u> <u>WORK</u> <u>SESSION</u>		
298	Sen. Hannon	MOTION: Moves to ADOPT the amendments offered by the Services to Children and Families to HB 2714A.
309	Chair Fisher	Hearing no objection, declares the motion CARRIED.
311	Sen. Hannon	MOTION: Moves HB 2714A to the floor with a DO PASS AS AMENDED recommendation.
316	Sen. Castillo	Acknowledges and commends everyone who collaborated on this bill.
323	Chair Fisher	Comments on Rep. VanLeeuwen's support of HB 2714A.
327		VOTE: 5-0-1 AYE: 5 - Castillo, Hannon, Shannon, Wilde, Fisher EXCUSED: 1 - Hamby
	Chair Fisher	The motion CARRIES. SEN. SHANNON will lead discussion on the floor.
333	Chair Fisher	Closes work session on 2714A, opens public hearing on HB 2749A.
<u>HB 2749A</u> <u>PUBLIC</u> <u>HEARING</u>		
343	Travis	Provides testimony in support of HB 2749A.
363	Sen. Shannon	Questions if this bill acknowledges the legal role of the grandparents.
377	Travis	Responds that that is a possibility.

388	Caleb F. Heppner	Deputy Administrator, Services to Children and Families, provides testimony in support and recommends some language changes to the bill, line 17, section d (EXHIBIT F).
422	Chair Fisher	Closes public hearing on HB 2749A, opens work session on HB 2749A.
HB 2749A WORK SESSION		
440	Tweedt	Questions the location of language changes.
444	Heppner	Responds line 17, include the definition for 'grandparent' be included in section 1.
459	Chair Fisher	Calls a recess at 3:40pm, reconvenes 3:50pm, announces that SB 448, 449, and 450 are rescheduled for Tuesday, May 20.
TAPE 93, A		
002	Tweedt	Summarizes the conceptual language and requests additional language.
013	Sen. Wilde	MOTION: Moves to ADOPT the amendments offered by the Services to Children and Families to HB 2749A.
017	Chair Fisher	Hearing no objection, declares the motion CARRIED.
018	Sen. Wilde	MOTION: Moves HB 2749A to the floor with a DO PASS AS AMENDED recommendation.
022		VOTE: 4-0-2 AYE: 4 - Castillo, Shannon, Wilde, Fisher EXCUSED: 2 - Hamby, Hannon
	Chair Fisher	The motion CARRIES. SEN. WILDE will lead discussion on the floor.
026	Chair Fisher	Closes work session on HB 2749A.
SB 966 WORK SESSION		
034	Chair Fisher	Opens work session on SB 966.
040	Tim Martinez	Representing Oregon Medical Association, provides information and testimony in support of SB 966.
067	Bob Dannenhoffer	Pediatrician, Medical Director SurePlans, provides testimony in support of SB 966.
115	Sen. Ted Ferrioli	District 28, provides testimony in support of SB 966.
132	Allison Little	Medical Director, Central Oregon Independent Health Service,

		provides testimony in support of SB 966.
144	Debra Wahl	Government Programs Manager, Mid-Valley Independent Practice Association, provides testimony in support of SB 966.
202	Amy Malone	Representing Providence Health Care, provides testimony in opposition to SB 966.
231	Hersh Crawford	Director, Office of Medical Assistance Programs, comments on the impact to the revenue redistribution and the Oregon Health Plan demonstration waiver.
247	Sen. Castillo	Questions how long the HCFA approval process would take.
249	Crawford	Responds approximately 3 months.
263	Bruce Bishop	Representing Kaiser Permanente, testifies that SB 966 creates a conflict between urban and rural hospitals. Requests that the bill be subsequently referred to Ways and Means.
287	Chair Fisher	Responds that the Chair of Ways and Means sees no reason to address this bill.
290	Bishop	Responds that this bill would create a shift in dollars and they believe that a process of finding additional dollars is in order.
302	Ed Patterson	Oregon Association of Hospitals, testifies that his client is neutral.
337	Sen. Shannon	MOTION: Moves SB 966 to the floor with a DO PASS recommendation.
340		VOTE: 4-0-2 AYE: 4 - Castillo, Shannon, Wilde, Fisher EXCUSED: 2 - Hamby, Hannon
	Chair Fisher	The motion CARRIES. SEN. WILDE will lead discussion on the floor.
315	Chair Fisher	Closes work session on SB 966, opens work session on SB 744.
<u>SB 744 WORK SESSION</u>		
363	Jim Davis	Representing Oregon Society of Physician Assistants, provides summary of -3 amendments (EXHIBIT G).
414	Dana Gray	President Oregon Society of Physician Assistants, provides testimony in support of the proposed -3 amendments.
443	Karen Whitaker	Director, Office of Oregon Rural Health, Oregon Health Sciences University, provides testimony in support of the proposed -3 amendments.
TAPE 92, B		
019	Bishop	Comments on Kaiser's concerns with language in -3 amendments

		lines 11-17. Recommends deleting these lines.
045	Gray	Responds to Kaiser's concerns.
074	Davis	Comments that Sen. Timm's has been involved with the -3 amendments.
081	Sen. Castillo	MOTION: Moves to delete line 17 on SB 744 -3 amendments dated 5/15/97.
083	Davis	Responds that additional language will have to be added to indicate that this review will be placed in statute.
104	Tweedt	Comments on the impact of these language changes.
128	Chair Fisher	Closes work session on SB 744, opens work session on SB 729.
<u>SB 729 WORK SESSION</u>		
138	John McCulley	Representing Oregon Psychiatric Association, provides testimony and summary of the proposed -1 amendments (EXHIBIT H).
250	Eva Cutish	Mental Health and Developmental Disabilities Division, notes concerns with the proposed -1 amendments.
264	Tweedt	Questions if the division supports restoring the language.
265	Cutish	Responds affirmatively.
308	Sen. Shannon	Questions if SB 729 with the -1 amendments would limit the departments ability to investigate abuse complaints.
313	Cutish	Responds affirmatively.
332	Sen. Castillo	Questions what section they are requesting be restored.
336	Cutish	Responds page 2 line 1, and line 14 be restored.
357	Sen. Wilde	Clarifies changes.
404	Bob Joondeph	Director, Oregon Advocacy Center, provides explanation regarding abuse and the reporting process.
TAPE 93, B		
025	Joondeph	Continues testimony regarding the concerns surrounding confidentiality.
037	Mike McCracken	Represent community mental health programs, comments on the fiscal impact created by these investigations.
070	Sen. Castillo	Questions if the witness supports the proposed -1 amendments.
072	McCracken	Responds affirmatively.
078	Garrett Smith	Mental health consumer and advocate, comments that without accountability abuse will continue to occur.
096	Sen. Wilde	Comments on concerns with section 3, subsection 2 in the -1 amendments.
116	Sen. Castillo	Comments on not supporting section 3, subsection 2.
123	Tweedt	Comments ORS 430.763 would not be amended by this bill.
138	Sen. Castillo	Questions if interested parties could draft a compromise amendment.

143	McCulley	Responds that there are many issues attached to this bill. Suggests working on this issue during the interim and returning in 1999.
159	Sen. Castillo	Comments that it is important that the Division be supportive of any proposed bill.
177	Joondeph	Responds that attempts for a compromise have taken place and at this point in time it would be difficult.
186	Chair Fisher	Questions how many cases does this bill is address.
192	Cutish	Responds that approximately 500 cases are reported annually.
229	Chair Fisher	Questions if medical professionals have to report abuse cases.
230	Cutish	Responds affirmatively.
270	Chair Fisher	Closes work session on SB 729.
272	Sen. Shannon	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering HB 2860A.
278	Chair Fisher	Hearing no objection, declares the motion CARRIED.
279	Sen. Shannon	MOTION: Moves to RECONSIDER the vote on HB 2860A.
280	Chair Fisher	Hearing no objection, declares the motion CARRIED.
<u>HB 2860A</u> <u>WORK</u> <u>SESSION</u>		
281	Chair Fisher	Opens work session on HB 2860A.
283	Sharon K. Hill	Legislative assistant to Senator Avel Gordly, provides testimony in support of HB 2860-A3 amendments (EXHIBIT I).
316	Sen. Wilde	Questions if the individual will be inconclusively determined to be the parent.
320	Hill	Responds no.
375	Chair Fisher	Comments that the key sponsor, Rep. Repine is supportive of this amendment.
390	Sen. Shannon	Questions the definition of punitive father.
395	Chair Fisher	Responds page 3, line 6 through 10.
398	Hill	Responds that any concerns will be addressed and follow-up with administrative rules.
411	Sen. Wilde	MOTION: Moves to ADOPT HB 2860A-A3 amendments dated 5/15/97 and to include the emergency clause.
418	Chair Fisher	Hearing no objection, declares the motion CARRIED.
420	Sen. Wilde	MOTION: Moves HB 2860A to the floor with a DO PASS AS AMENDED recommendation.
459		VOTE: 4-0 AYE: 4 - Castillo, Shannon, Wilde, Fisher EXCUSED: 2 - Hamby, Hannon

	Chair Fisher	The motion CARRIES. SEN. HANNON will lead discussion on the floor.
TAPE 94, A		
018	Chair Fisher	Closes work session on HB 2860A.
SB 744 WORK SESSION		
020	Chair Fisher	Opens work session on SB 744
021	Tweedt	Summarizes and clarifies -3 amendments.
036	Sen. Castillo	Questions the impact of deleting lines 11-16.
037	Tweedt	Responds not for 6 years.
042	Sen. Wilde	MOTION: Moves to ADOPT SB 744-3 amendments dated 5/15/97 with deletion of line 17.
048	Chair Fisher	Hearing no objection, declares the motion CARRIED.
050	Sen. Wilde	MOTION: Moves SB 744 to the floor with a DO PASS AS AMENDED recommendation.
054		VOTE: 4-0 AYE: 4 - Castillo, Shannon, Wilde, Fisher EXCUSED: 2 - Hamby, Hannon
	Chair Fisher	The motion CARRIES. SEN. CASTILLO will lead discussion on the floor.
060	Chair Fisher	Closes work session on SB 744, adjourns the meeting at 5:22pm.

Submitted By, Reviewed By,

Sandy Thiele-Cirka, Anne E. Tweedt,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HJR 67, Oregon Donor Program, Mary Jane Hunt, 2pp

B - HJR 67, -1 amendments, Staff, 1pp

C - HB 2827, Oregon Dental Hygienists' Association, 3pp

D - HB 2827, Oregon Board of Dentistry, Committee, 1pp

E - HB 2714A, Child Protective and Family Treatment Services, Victor Congleton, 1pp

F - HB 2749A, Office for Services to Children and Families, Caleb Heppner, 1pp

G - SB 744, -3 amendments, Jim Davis, 1pp

H - SB 729, Oregon Psychiatric Association, John McCulley, 3pp

I - HB 2860A, Written testimony, -A3 amendments, Sen. Avel Gordly, 11pp
