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SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

April 1, 1997 Hearing Room B

3:00 P.M. Tapes 46 - 49

MEMBERS PRESENT:

Sen. Bill Fisher, Chair

Sen. Jeannette Hamby, Vice-Chair

Sen. Lenn Hannon

Sen. Marilyn Shannon

Sen. Susan Castillo

Sen. Thomas Wilde

MEMBER EXCUSED:

STAFF PRESENT:

Anne E. Tweedt, Administrator

Sandy Thiele-Cirka, Administrative Support

MEASURES/ISSUES HEARD:

SB 412 Public Hearing

SB 309 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 46, A		
003	Chair Fisher	Calls meeting to order at 3:07pm. Opens public hearing on SB 412 and SB 309.
<u>SB 412 and SB 309 - PUBLIC HEARING</u>		
015	Sen. Ken Baker	District 14, summarizes and provides testimony in support of SB 412.
039	Sen. Hannon	Questions impact without this bill?
042	Sen. Baker	Responds that rural hospitals could suffer.
045	Sen. Hannon	Questions if the federal government is involved.
047	Jody Fischer	Representing Oregon Association of Nurse Anesthetists, responds that there are two areas of concern: * hospitals that utilize independent CRNA's will lose their national accreditation * hospitals increase their liability by utilizing CRNA's without a scope of practice. (EXHIBIT A).
067	Sen. Hannon	Question who is targeting the CRNA's?
069	Fischer	Responds the anesthesiologists.
077	Sen. Baker	Responds the issue is one of economics.
084	Fischer	Summarizes and provides testimony EXHIBIT A in support of SB 412.
173	Fischer	Continues summary of the proposed -3 amendments.
207	Sen. Hannon	Questions 'health care provider' in line 4r of SB 412 engrossed version.
		Certified nurse anesthetist, Hood River, responds that health care

220	Dwayne Laurelton	provider would be a registered nurse being directed by CRNA to administer medications.
238	Sen. Hannon	Questions definition of 'health care provider'.
252	Fischer	Responds that health care provider is defined as another licensed health care provider acting within their scope of practice.
257	Sen. Hannon	Requests detailed definition.
273	Chair Fisher	Questions if 'health care provider' would be anyone in addition to a registered nurse?
276	Yuri Chavez	Certified nurse anesthetist, president elect Oregon Association of Nurse Anesthetist, responds that it could include respiratory therapist. Provides testimony in support of SB 412 (EXHIBIT B).
333	Laurelton	Represents rural independent CRNA, provides testimony in support of SB 412 (EXHIBIT C).
TAPE 47, A		
014	Sen. Castillo	Questions the impact on rural communities if this measure does not pass?
019	Laurelton	Responds that CRNA's are open for reviews and inspections by outside sources, no protection for the profession.
030	Sen. Shannon	Questions if SB 412 passes, will the role of the CRNA change?
032	Fischer	Responds that CRNAs will continue as they are currently, and they can provide anesthesia care where hospitals are already providing anesthesia services. Submits written testimony from Karen Whitaker, Director, Oregon Office of Rural Health, in support of SB 412 (EXHIBIT D).
046	Pat Amedeo	Lobbyist, Oregon Society of Anesthesiologists, provides testimony in opposition to SB 412 and support of SB 309.
075	Bruce K. Bolton	Physician anesthesiology, President, Oregon Society of Anesthesiologists. Provides testimony in support of SB 309 (EXHIBIT E).
180	Bolton	Continues testimony covering how SB 412 changes the scope of practice and does not codify current practice.
256	Richard D. Carr	Assistant Professor of Anesthesiology and Pediatrics, Oregon Health Sciences University, and Director of Education for Residency Program provides testimony in support of SB 309 (EXHIBIT F).
342	Carr	Continues testimony covering nurse anesthetist training versus anesthesiology training.
TAPE 46, B		

007	Tim Baldwin	Anesthesiologist, Portland, submits testimony from surgeons in support of SB 309 (EXHIBIT G).
071	Sen. Eugene Timms	District 30, provides testimony in support SB 412. Comments on the importance of rural hospitals for local communities.
106	Sen. Wilde	Questions if the witness has reviewed section 2 of SB 309?
108	Sen. Timms	Responds that he has not, but he has been briefed.
111	Sen. Wilde	Comments on SB 309 language regarding supervision.
122	Sen. Timms	Continues explanation of SB 412.
147	Joanne Jene	Physician, anesthesiologists, provides testimony in support of SB 309 (EXHIBIT H).
238	Sen. Wilde	Questions bill language `consulting arrangement'.
256	Jene	Responds and describes this type of relationship.
273	Sen. Hannon	Comments that 28 states have laws for CRNAs, questions the other 22 states.
279	Jene	Responds that another witness will address that issue.
305	Wendall Hesseltine	Administrator, Tillamook County General Hospital, provides testimony in support of SB 412.
370	Sen. Hannon	Questions if accreditation is obtainable without SB 412?
378	Hesseltine	Responds that the CRNAs are monitored through the hospital's quality assurance process which is approved by the Joint Commission of Accreditation of Health Care Organizations (JCAHO).
384	Sen. Hannon	Questions certification without any statute.
388	Hesseltine	Responds that JCAHO is responsible for checking if state law is being followed, Oregon is silent on this issue, therefore, JCAHO views CRNAs as independent. JCAHO will follow state statute.
407	Sen. Hannon	Questions the issue of doctor liability.
410	Hesseltine	Responds that the physicians at Tillamook request that the CRNAs sign for medications administered, however, the physicians realize that they are ultimately responsible.
TAPE 47, B		
007	Charles Haynie	Physician, Hood River Memorial Hospital, President, Oregon's rural surgeons, Columbia Gorge Independent Practice Association and Physician Hospital Organization, provides testimony in support of SB 412 (EXHIBIT I).
080	Haynie	Continues testimony covering the debate within the medical community regarding this issue.
143	Sen. Hannon	Questions current procedure in other states?

148	Haynie	Responds that data available from 3 states allows for independent practice decisions. For additional information of the other 22 states he will have to review their statutes.
161	Sen. Hannon	Questions if independent decision making is common practice within the profession?
168	Haynie	Responds that he does not have that information at the moment. Notes that this is a complex issue.
181	Sen. Fisher	Comments directed towards other states with statutes similar to SB 412.
188	Bill Wilbur	CEO, Cottage Grove Health Care Community, provides testimony in support of SB 412.
243	Gordon Dickerson	Anesthesiologist, President of Anesthesia Associates of Medford, provides testimony in support of SB 309 (EXHIBIT J).
327	Chair Fisher	Questions if CRNAs are present in Medford?
332	Dickerson	Responds that there are no CRNAs in Medford, one in Ashland.
335	Chair Fisher	Questions if anesthesiologists and CRNAs rotate the workload in rural hospitals?
349	Dickerson	Responds that Grants Pass has a shared situation, however, he does not know the details.
358	Richard Johnston	Anesthesiologist, Eugene, reads testimony in support of SB 309 (EXHIBIT K).
TAPE 48, A		
010	Johnston	Continues presentation of testimony.
048	Sen. Wilde	Questions consulting liability, who is ultimately liable?
058	Johnston	Responds that a relationship between the CRNA and the anesthesiologist would be similar to that between physician assistants and physicians.
067	Charles Anderson	Anesthesiologist, Bend, provides testimony in support of SB 309 (EXHIBIT L).
164	Sen. Shannon	Questions patient safety associated with CRNAs? Are there any mortality rates associated with CRNAs?
168	Anderson	Responds that data has been submitted to the committee providing comparisons between anesthesiologists and CRNAs.
173	Sen. Shannon	Questions if the articles are exclusive to Oregon?
174	Anderson	Responds that no they are not.
176	Sen. Shannon	Comments that CRNAs in rural hospitals have not been a safety problem in Oregon. Questions that if there is not a problem, why should the practice be changed?
178	Anderson	Responds that this type of data is not available in Oregon, the foundation for this decision is based on education and experience.

185	Sen. Shannon	Notes that public concern has been minimal.
191	Johnston	Responds that the quality of care in Oregon is very high.
221	Chair Fisher	Questions how often malpractice is an issue with anesthesiologists and CRNAs?
225	Johnston	Responds that malpractice is a concern for both professions.
229	Sen. Castillo	Questions the representation that current practices of CRNAs is unsafe, however, if there is no data indicating a safety issue, why should there be a change?
245	Johnston	Responds that surgeons and anesthesiologists have been actively involved with the administration of patient care.
266	Anderson	Responds that the concern surrounds removing a quality 'check' point associated with patient care.
274	Vice-chair Hamby	Questions anesthesiologist assistant, what are their qualifications?
281	Johnston	Responds that these programs are rare, requires a bachelor's degree with additional specialty training; the scope of anesthesiologist assistant is very restrictive.
295	Vice-chair Hamby	Questions the current malpractice premium for anesthesiologists.
309	Johnston	Responds that the annual premium is approximately \$7000 dollars.
326	Vice-chair Hamby	Questions Dr. Anderson regarding his concerns about Oregon's rural hospital care.
343	Anderson	Responds that he would not be comfortable receiving care in a rural hospital, medical complications and inexperience with trauma cases are issues to be concerned with.
365	Vice-chair Hamby	Notes that adequate health care is a concern in rural Oregon.
376	Chair Fisher	Question if SB 412 would allow more intensive care from a rural hospital that they may not be equipped to do that?
385	Anderson	Responds that that is a possibility.
TAPE 49, A		
010	Chuck Hofmann	Physician, president-elect of the Oregon Medical Association (OMA), provides testimony in support of SB 309 (EXHIBIT M).
078	Scott Gallant	Representing OMA, notes involvement with drafting a compromise bill satisfying both the anesthesiologists and CRNAs.
123	Chair Fisher	Questions if there is a timeline available?
125	Gallant	Responds it is within the timeline of the committee.
131	Sen. Castillo	Questions why liability rates would increase?
133	Gallant	Responds that that information is not available, he will obtain it and provide it to the committee.

138	Sen. Wilde	Comments on concerns regarding liability.
146	Gallant	Responds to Sen. Wilde's comments.
148	Ken Hoffman	CRNA, Tillamook, provides testimony in support of SB 412 (EXHIBIT N). Testimony covers educational differences, HCFA conditions of participation for Medicare, and hospital reimbursement under these guidelines.
313	Tom Janisse	Assistant Regional Medical Director, Northwest Permanente and Kaiser Permanente, provides testimony in support of the anesthesia care team model.
347	Chair Fisher	Announces a work session on SB 309 and SB 412 on April 24, 3:00pm.
358	Susan King	Oregon Nurses Association, provides testimony in support of SB 412.
440	Jane Myers	Representing Oregon Dental Association, submits proposed -1 amendment to SB 309 (EXHIBIT O).
TAPE 48, B		
010	Ed Patterson	Representing Oregon Association of Hospitals and Health Systems, provides testimony in support of SB 412 (EXHIBIT P).
072	Barry Marks	Health care attorney, comments on HCFA and JCAHO regulations and impact. Notes bill language, focuses on supervision, liability, and scope of practice.
147	Chair Fisher	Invites additional testimony, adjourns the meeting at 6:05pm.

Submitted By, Reviewed By,

Sandy Thiele-Cirka, Anne E. Tweedt,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 412, Oregon Association of Nurse Anesthetists, 61pp

B - SB 412, Written testimony, Yuri Chavez, 6pp

C - SB 412, Written testimony, Dwayne Laurelton, 4pp

D - SB 412, Written testimony, Jody Fischer, 2pp

E - SB 309, Written testimony, Bruce Bolton, 34pp

F - SB 309, Written testimony, Richard D. Carr, 55pp

G - SB 309, Written testimony, Tim Baldwin, 6pp

H - SB 309, Written testimony, Joanne Jene, 13pp

I - SB 412, Written testimony, Charles Haynie, 70pp

J - SB 309, Written testimony, Gordon Dickerson, 2pp

K - SB 309, Written testimony, Richard Johnston, 12pp

L - SB 309, Written testimony, Charles Anderson, 4pp

M - SB 309, Written testimony, Chuck Hofmann, 3pp

N - SB 412, Written testimony, Ken Hoffman, 16pp

O - SB 309, -1 amendments, Jane Myers, 1pp

P - SB 412, Oregon Association of Hospitals, 1pp
