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**SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**

**April 22, 1997 Hearing Room B**

**3:00 P.M. Tapes 68 -75**

**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**

**MEASURE/ISSUES HEARD:**

**SB 384 Public Hearing and Possible Work Session**

**SB 729 Public Hearing**

**SB 833 Public Hearing and Work Session**

**SB 447 Public Hearing**

**SB 448 Public Hearing**

**SB 449 Public Hearing**

**SB 450 Public Hearing**

**SB 694 Public Hearing**

**SB 535 Public Hearing**

**SB 536 Public Hearing**

**SB 1186 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 68, A</b>		
004	Chair Fisher	Calls meeting to order at 3:08pm, opens public hearing on SB 384.
<b><u>SB 384 PUBLIC HEARING</u></b>		
010	Jessica Harris	Legislative assistant, Sen. Hamby, summarizes SB 384.
023	Cynthia Thompson	Executive Director, Children's Trust Fund of Oregon, provides testimony in support of SB 384 ( <b>EXHIBIT A</b> ).
093	Chair Fisher	Questions the fee increase.
095	Thompson	Responds that the fee increase is associated with administrative costs.
106	Sen. Wilde	Questions if the brochure is printed on acid free paper.
110	Thompson	Responds not at this time, however future orders will be placed with that consideration.
124	Chair Fisher	Closes public hearing on SB 384, opens work session on SB 384
<b><u>SB 384 WORK SESSION</u></b>		
		<b>MOTION: Moves SB 384 to the floor with a DO PASS</b>

127	Sen. Hamby	recommendation and BE REFERRED to the committee on Revenue.
134		<b>VOTE: 5-0</b> <b>AYE: 5 - Castillo, Hamby, Shannon, Wilde, Fisher</b> <b>EXCUSED: 1 - Hannon</b>
	Chair Fisher	The motion CARRIES.
137	Chair Fisher	Closes work session on SB 384, opens public hearing on SB 729.
<b>SB 729 PUBLIC HEARING</b>		
144	Bob Joondeph	Executive Director, Oregon Advocacy Center, provides testimony in support of SB 729 ( <b>EXHIBIT B</b> ).
193	Madeline Olson	Assistant Administrator, Office of Mental Health Services, Mental Health and Developmental Disability Services Division, provides testimony in support of SB 729 ( <b>EXHIBIT C</b> ). Notes the potential fiscal impact to community mental health programs.
218	Mike McCracken	Representing the Oregon Association of Community Mental Health Programs, provides testimony in support of SB 729; noting the possibility of fiscal impact.
256	John McCulley	Oregon Psychiatric Association, provides testimony in opposition to SB 729 ( <b>EXHIBIT D</b> ).
325	Chair Fisher	Comments on concerns regarding costs and language intent.
336	Sen. Wilde	Comments on substantiated allegations versus frivolous complaints.
342	Chair Fisher	Closes public hearing on SB 729, opens public hearing on SB 833.
<b>SB 833 PUBLIC HEARING</b>		
348	Joondeph	Provides testimony in support of SB 833 ( <b>EXHIBIT E</b> ).
414	Vice-chair Hamby	Questions any opposition during work sessions of this bill.
421	Joondeph	Responds that there has been no opposition to this bill.
425	Vice-chair Hamby	Questions the 17 day limit.
428	Joondeph	Responds that this limit is in current statute.
444	Chair Fisher	Submits testimony from Madeline Olson in support of SB 833 ( <b>EXHIBIT F</b> ).
453	McCulley	Provides testimony in support of SB 833.
483	Chair Fisher	Closes public hearing on SB 833, opens work session on SB 833
<b>TAPE 69, A</b>		

<b>SB 833 WORK SESSION</b>		
013	Sen. Hamby	<b>MOTION: Moves SB 833 to the floor with a DO PASS recommendation.</b>
017		<b>VOTE: 5-0</b> <b>AYE: 5 - Castillo, Hamby, Shannon, Wilde, Fisher</b> <b>EXCUSED: 1 - Hannon</b>
	<b>Chair Fisher</b>	<b>The motion CARRIES.</b>  <b>SEN. HAMBY will lead discussion on the floor.</b>
021	Chair Fisher	Closes work session SB 833. Announces that SB 1186 will be the final bill to be heard.
<b>SB 447 PUBLIC HEARING</b>		
034	Chair Fisher	Opens public hearing on SB 447.
040	Grover Simmons	Representing owners and managers of adult foster homes, provides testimony in support of SB 447 ( <b>EXHIBIT G</b> ).
097	Sen. Castillo	Questions the concern about reporting substantiated complaints.
100	Simmons	Responds that there is an economic impact when potential residents review the report.
114	Sen. Castillo	Comments on the consequences of frivolous complaints, however the consumer should have all the information before making a decision.
117	Simmons	Responds with examples of types of frivolous complaints that are reported.
141	Vice-chair Hamby	Requests a broader definition of `substantial'.
146	Simmons	Responds that he does not have an inclusive definition, perhaps SDS D has an inclusive definition.
150	Sen. Castillo	Responds that a detailed definition would be appropriate, not eliminating the report.
158	Simmons	Comments on the substantiated and unsubstantiated issue.
168	Charles Sheketoff	Representing Oregon Citizens Coalition for Quality Long Term Care, provides testimony in support of SB 447 and the proposed -2 amendments.
235	Jean DeMaster	Program Manager, Multnomah County Adult Care Home Program and representing Multnomah County Aging Services Department, provides testimony in opposition to SB 447, however supports the -2 amendments ( <b>EXHIBIT H</b> ).

243	Meredith Cote	Director, Long Term Care Ombudsman Office, provides testimony in support of the -2 amendments.
251	Chair Fisher	Closes public hearing on SB 447, opens work session on SB 447.
<b><u>SB 447 WORK SESSION</u></b>		
253	Sen. Hamby	<b>MOTION: Moves to ADOPT SB 447--2 amendments dated 04/09/97.</b>
243	Chair Fisher	<b>Hearing no objection, declares the motion CARRIED.</b>
245	Sen. Hamby	<b>MOTION: Moves SB 447 to the floor with a DO PASS AS AMENDED recommendation.</b>
262		<b>VOTE: 5-0</b> <b>AYE: 5 - Castillo, Hamby, Shannon, Wilde, Fisher</b> <b>EXCUSED: 1 - Hannon</b>
	Chair Fisher	<b>The motion CARRIES.</b>  <b>SEN. FISHER will lead discussion on the floor.</b>
268	Chair Fisher	Closes work session on SB 447, opens public hearing on SB 448.
<b><u>SB 448 PUBLIC HEARING</u></b>		
275	Simmons	Provides summary and testimony in support of SB 448 ( <b>EXHIBIT I</b> ).
407	Lee Hazelwood	Capitol liaison, Governor's Commission on Senior Services, provides testimony in opposition to SB 448 ( <b>EXHIBIT J</b> ).
<b><u>TAPE 68, B</u></b>		
010	DeMaster	Provides testimony in opposition of SB 448.
091	Sheketoff	Provides testimony and concerns regarding SB 448.
132	Chair Fisher	Questions bad faith complaint.
147	Sheketoff	Responds that good faith generally refers to the intent of the complaint, not whether or not it is substantiated. Comments on an inspection as a result of a bad faith complaint.
203	Cote	Provides testimony in opposition to SB 448. Notes that the concept of good faith does not have a definition for statutory purposes.
233	Chair Fisher	Questions and requests language changes.
237	Sheketoff	Responds that the investigation process will determine good faith intent to establish substantiated versus unsubstantiated claims.
253	Chair Fisher	Comments on current language stating 'good faith determination prior to the investigation' needs to be addressed.

288	Cote	Responds that there may be a portion of the claims that are fraudulent.
323	Chair Fisher	Comments that the operator should have the opportunity to determine if the complaint is in good faith or not.
323	Sheketoff	Responds that the operator has that opportunity.
370	Cote	Comments that there is an under-reporting of complaints in the adult foster care industry.
453	Gail Ryder	Government Affairs Director, Oregon Newspaper Publishers Association, provides testimony in opposition to SB 448 and proposed amendments ( <b>EXHIBIT K</b> ).
<b>TAPE 69, B</b>		
046	Jacqueline Zimmer	Director, Oregon Association of Area Agencies on Aging, provides testimony in opposition to SB 448.
075	May Dasch	Board member, Marys Peak Chapter of the Alzheimer's Association, provides testimony in opposition to SB 448 ( <b>EXHIBIT L</b> ).
109	Chair Fisher	Requests that parties attempt to draft compromise amendments. Closes public hearing on SB 448, opens public hearing on SB 449.
<b><u>SB 449</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
122	Simmons	Summarizes and provides testimony in support of SB 449 ( <b>EXHIBIT M</b> ).
161	Catherine Jensen	Adult Foster Home provider, provides testimony in support of SB 449.
188	Edward Gustafson	Provides testimony in support of SB 449 ( <b>EXHIBIT N</b> ).
210	Yvonne Johnson	Adult Foster Home operator, provides testimony in support of SB 449.
232	Chair Fisher	Questions if Washington utilizes the same process as Oregon.
236	Johnson	Responds that the process is the same, however Washington does not require a federal criminal background check.
261	Vice-chair Hamby	Questions the grandfather clause.
264	Jensen	Responds that that is not allowed.
258	Chair Fisher	Comments on the state requiring criminal background check and the need for federal criminal background check to avoid abuses.
307	Cindy Hanom	Manager, Foster Home Program, Senior and Disabled Services Division.
309	Vice-chair Hamby	Questions if SDSD provides information packets that notify future home operators of the application process.
314	Hanom	Responds affirmatively. Notes the back-log of the federal check was not anticipated.

335	Vice-chair Hamby	Comments on the national movement for background checks.
347	Hanom	Responds in agreement. Continues with testimony in opposition to SB 449.
379	Vice-chair Hamby	Notes that the federal data bank is lacking with current information.
408	Hazelwood	Testifies in opposition to SB 449 ( <b>EXHIBIT O</b> ).
442	Chair Fisher	Comments on bill language addressing the five year period.
453	Hazelwood	Responds with explanation of the business development process.
<b>TAPE 70, A</b>		
026	DeMaster	Provides testimony in opposition to SB 449. Notes two reasons (1) allows home operators to operate the homes while waiting for the criminal check, (2) operators of adult foster homes will be operating with little or no supervision.
054	Fisher	Questions if an operator is licensed for one home, adding an additional home should not be a problem.
058	DeMaster	Responds that an administrative rule can provide corrective action. Continues with testimony and concerns.
094	Zimmer	Provides testimony regarding SB 449. Comments on drafting amendments for temporary licensing.
127	Cote	Provides testimony in opposition to SB 449. Comments on obligation to the residents.
151	Chair Fisher	Comments the six-month waiting period was unforeseeable.
164	Cote	Comments on providers and resident managers.
195	Sheketoff	Provides testimony in opposition to SB 449.
241	Dasch	Provides testimony in opposition to SB 449 ( <b>EXHIBIT P</b> ).
266	Chair Fisher	Closes public hearing SB 449, opens public hearing on SB 450.
<b><u>SB 450 PUBLIC HEARING</u></b>		
273	Chair Fisher	Announces that a 15-minute break will follow this public hearing.
290	Constance Lough	Adult Care Provider, operates care home in Clakamas County, provides testimony in support of SB 450. Comments on the need for unified state rules.
462	Chair Fisher	Questions if the county charges a license and orientation fee.
465	Lough	Responds affirmatively.
469	Chair Fisher	Questions if the county reimburses the providers for the extra administrative costs for implementing new rules and regulations.
471	Lough	Responds no.
<b>TAPE 71, A</b>		

017	Chair Fisher	Questions if the state charges a bed fee.
019	Lough	Responds no, the county charges a bed fee but not the state.
024	Chair Fisher	Questions if the state pays on the basis of fee paid to the county.
026	Lough	Responds that the state gives the county money allocated for adult foster care.
036	Simmons	Provides testimony in support of SB 450 ( <b>EXHIBIT Q</b> ). Comments on fiscal impact.
077	Chair Fisher	Comments on the fiscal impact.
085	Simmons	Responds that the licensing cost is \$20 per bed, except in Multnomah county, the cost is \$40 per bed.
104	Chair Fisher	Comments on bill intent and fiscal impact statement.
143	Hazelwood	Provides testimony in opposition to SB 450 ( <b>EXHIBIT R</b> ).
163	Chair Fisher	Questions if the dual licensing is necessary.
171	Hazelwood	Responds to the Chair's concerns.
210	Zimmer	Provides testimony in opposition to SB 450 ( <b>EXHIBIT S</b> ), and submits testimony by John Mullin ( <b>EXHIBIT T</b> ).
233	Chair Fisher	Comments on the problems that has arisen in the adult foster care industry.
239	Zimmer	Responds and continues testimony.
271	DeMaster	Provides testimony in opposition to SB 450 ( <b>EXHIBIT U</b> ).
330	DeMaster	Continues with educational requirements and licensing procedures.
409	Chair Fisher	Submits written testimony from Thelma J. Lofquist ( <b>EXHIBIT V</b> ). Closes public hearing on SB 450, recess for 15 minutes.
<b>TAPE 70, B</b>		
002	Chair Fisher	Reconvenes at 6:25 p.m., announces the rescheduling of SB 189, May 1, 1997.
<b>SB 694 PUBLIC HEARING</b>		
013	Chair Fisher	Opens public hearing on SB 694.
023	Jack McIsaac	Representing Laurel Thomas, summarizes and provides testimony in support of SB 694 ( <b>EXHIBIT W</b> ).
141	Laurel Thomas	Private citizen, provides testimony in support of SB 694 ( <b>EXHIBIT X</b> ).
277	McIsaac	Comments and introduces next witness.
290	Joseph Emmerick	Private physician, pediatrician, provides testimony in support of SB 694.
387	Vice-chair Hamby	Questions if Laurel Thomas had contacted the Board of Medical Examiners.
392	Thomas	Responds no.



397	Emmerick	Responds that if a referral system is available to the community, he is unaware of it.
417	Vice-chair Hamby	Questions Dr. Emmerick if he contacted the BME regarding a referral system.
422	Emmerick	Responds that his comments about referrals is directed toward the entire community not just among physicians.
435	Sen. Shannon	Questions Laurel if she has corresponded with the BME.
439	Thomas	Responds no, she contacted the hospital administration.
441	Sen. Shannon	Questions if the hospital would pursue action against the physician.
443	Thomas	Responds that she does not believe that the hospital would protect the physician.
449	Sen. Shannon	Questions if there was not a settlement would she have reported the incident.
451	Thomas	Responds affirmatively.
475	Chair Fisher	Questions if the witness is able to submit documentation to the committee regarding her case.
477	Thomas	Responds that she will provide her reports.
<b>TAPE 71, B</b>		
007	Vice-chair Hamby	Comments on the procedure of transferring personal medical records.
014	Emmerick	Responds that the patient can receive a copy of their medical records, not the original record.
040	Brad Swank	State Court Administrators, provides testimony directed towards bill language addressing access to criminal records of physician and proposes language changes.
066	Brad Hartman	Risk Manager, Risk Management Division, provides testimony in opposition to SB 694 ( <b>EXHIBIT Y</b> ).
103	Vice-chair Hamby	Questions committee staff regarding Massachusetts tort limitations.
105	Tweedt	Responds that she was unaware of the passing of legislation.
111	Sen. Shannon	Questions the tort limits, does that include the withholding of the identity of the parties involved.
114	Hartman	Responds no.
117	Chair Fisher	Questions if the state should create a statewide tort limit.
120	Hartman	Responds with the tort liability limits.
134	Vice-chair Hamby	Questions if risk management division would object the information being available if a tort claim were on record.
139	Hartman	Responds no.
		Representing Oregon Medical Association, provides testimony in

143	Scott Gallant	opposition to SB 694 ( <b>EXHIBIT Z</b> ).
228	Sen. Castillo	Questions the impact of this bill on peer review.
233	Gallant	Responds that the intent of this bill would discourage the effectiveness of peers to evaluate and review other physicians.
250	Vice-chair Hamby	Comments on other states creating access of physician profiles on the telecommunication network.
275	Gallant	Responds that information from the board is extensive and thorough.
289	Vice-chair Hamby	Comments on the ease of scanning information into the network.
298	Chair Fisher	Submits testimony from Steven R. Shelton, Oregon Department of Corrections, Health Services Division, and Kathleen Haley, Board of Medical Examiners ( <b>EXHIBIT AA</b> ).  Closes public hearing on SB 694.
322	Chair Fisher	Reopens public hearing on SB 694.
327	Rodney Norton	Trial counsel, Oregon Health Sciences University, provides testimony in opposition to SB 694 ( <b>EXHIBIT BB</b> ).  Notes concerns that this bill would remove the liability cap, and this would have financial ramifications of stripping OHSU and its employees of the liability protections.
<b>TAPE 72, A</b>		
010	Vice-chair Hamby	Questions how counterparts in Massachusetts are coping with the new tort laws.
016	Norton	Responds that most of institutions comparable to OHSU are private institutions, and therefore they are allowed to reduce services as necessary.
019	Vice-chair Hamby	Requests Mr. Norton to research this issue and report back.
023	Norton	Responds affirmatively, provides additional comments on Laurel Thomas's case.
035	Chair Fisher	Closes public hearing on SB 694, opens public hearing on SB 535.
<b><u>SB 535</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
045	Jim Davis	Representing Oregon State Council of Senior Citizens/United Seniors of Oregon, Gray Panthers/Oregon State Denturist Association, provides testimony in support of SB 535 ( <b>EXHIBIT CC</b> ). Notes proposed amendment.
110	Ken Holden	President, Oregon Denturist Association, provides testimony in support of SB 535 ( <b>EXHIBIT DD</b> ).
198	Darcy Kerr	Licensed denturist, Roseburg, provides testimony in support of SB 535 ( <b>EXHIBIT EE</b> ).

245	Vice-chair Hamby	Questions if Oregon's curriculum is similar to Alberta's.
255	Kerr	Responds affirmatively.
277	Davis	Comments that Oregon has a comprehensive program for denturists.
279	Vice-chair Hamby	Questions bill language mechanically sufficient.
282	Holden	Responds with the definition.
303	Kerr	Comments that most of the partial dentures produced in Oregon are done by laboratory dental technologists.
353	Susan Wilson	Administrator, Health Division Licensing Programs, provides testimony in opposition to SB 535 ( <b>EXHIBIT FF</b> ).
406	Vice-chair Hamby	Questions the one negative vote on the denturist board.
409	Wilson	Responds it was cast by a dentist.
410	Zimmer	Director, O4A, provides testimony in support of SB 535.
<b>TAPE 73, A</b>		
017	Tad Burzynski	Licensed denturist, Central Oregon provides testimony in support of SB 535.
043	Lewis Blue	General dentist, President, Oregon Board of Dentistry, provides testimony in opposition to SB 535 ( <b>EXHIBIT GG</b> ).
064	Jane Myers	Director, Oregon Dental Association Government Affairs, provides testimony in opposition to SB 535 ( <b>EXHIBIT HH</b> ).
198	Johan E. Wold	DMD, provides testimony in opposition to SB 535 ( <b>EXHIBIT II</b> ).
315	Chair Fisher	Closes public hearing SB 535, opens public hearing on SB 536.
<b>SB 536 - PUBLIC HEARING</b>		
334	Davis	Provides testimony in support of SB 536 ( <b>EXHIBIT JJ</b> ). Notes the major points of the bill (1) improved denture care services and (2) provides access to denturists.
428	Holden	Provides testimony in support of SB 536.
<b>TAPE 72, B</b>		
026	Kerr	Provides testimony in support of SB 536.
070	Al Thompson	Representing Standard Insurance Company, provides testimony in opposition to SB 536. Notes the impact of this bill.
105	Sen. Castillo	Questions the 5-year deadline.
108	Thompson	Responds that he does not have that information, however, it is possible that this figure represents the life of the dentures.  Continues testimony.

116	Chair Fisher	Closes public hearing on SB 536, calls a recess.
<b>SB 1186 - PUBLIC HEARING</b>		
131	Chair Fisher	Reconvenes 8:35pm, opens public hearing on SB 1186.
139	Pat Kabele	Health Policy Specialist, Oregon Nurses Association, provides testimony addressing the human element of SB 1186 ( <b>EXHIBIT KK</b> ).
153	Sen. Shannon	Questions if a glove manufacturing company paid the way of an ONA representative to attend a conference.
158	Kabele	Responds affirmatively.
160	Anita Wolfe	Registered Nurse, Oregon, provides testimony in support of SB 1186.
187	Kelly Clift	Registered Nurse, Oregon, provides testimony in support of SB 1186.
225	Theresa McLain	Mother, son Colin McLain, provides testimony in support of SB 1186.
241	Colin McLain	11 years old, provides testimony in support of SB 1186.
261	McLain, T.	Continues testimony and description of personal difficulties with Colin's life threatening allergy.
265	Sen. Shannon	Questions if the goal is to eliminate latex products in the community.
271	McLain, T.	Responds affirmatively.
320	Chair Fisher	Comments on the possibility of an interim study to be conducted on this issue. Notes the proposed -1 and -2 amendments ( <b>EXHIBIT LL</b> ).
350	John Liggett	Administrator, High Places, Ltd., provides testimony in support of SB 1186. Comments on alternative products that are currently available.
<b>TAPE 73, B</b>		
028	Rep. Tom Whelan	District 32, provides testimony in support of SB 1186.
062	Sen. Shannon	Questions if the witness has had an allergic reaction.
064	Rep. Whelan	Responds no.
070	Richard Edlick	Professor of Plastic Surgery, University of Virginia, author of <u>Medicines Deadly Dust: A Surgeons Wake-up Call to Society</u> . Comments on the dangers of cornstarch and surgical lubricants, and provides testimony in support of SB 1186 ( <b>EXHIBIT MM</b> ).
168	Chair Fisher	Questions if cornstarch is washable.
175	Edlick	Responds affirmatively.
192	Chair Fisher	Comments that in powder free gloves the cornstarch has been washed off.
212	Edlick	Responds that there are two ways to remove the powder: (1) completely powder free process of production and (2) chlorinate the

		surface of the gloves to remove the cornstarch powder.
230	Chair Fisher	Questions if a surgeon can use the chlorinating process to remove the cornstarch.
238	Edlick	Responds that the chlorination process is used in production of latex gloves. Notes that a saline basin is available in the operating room to remove as much cornstarch as possible.
252	Chair Fisher	Questions the loss of integrity of powder free gloves.
258	Edlick	Responds that studies indicate that there is less opportunity for needle penetration in powder free gloves.
268	Donald Beezhold	Medical researcher, Guthrie Research Institute, Sayre PA., provides 3 reasons to support SB 1186 ( <b>EXHIBIT NN</b> ): <ul style="list-style-type: none"> <li>* latex allergy</li> <li>* other health problems associated with powder use</li> <li>* powder-free gloves, availability is not an issue</li> </ul>
388	Beezhold	Continues testimony outlining complications of latex allergies.
420	Edlick	Comments on the position of those in opposition to SB 1186.
<b>TAPE 74, A</b>		
004	Sam Eberts	Assistant General Counsel, Allegiance Healthcare Corporation, provides testimony in opposition to SB 1186 ( <b>EXHIBIT OO</b> ).
105	Eberts	Continues with financial and environmental impact of SB 1186.
107	Sen. Wilde	Questions the annual glove sales, volume of powdered versus powder free.
114	Eberts	Responds that glove sales are 60 percent powdered and surgeons powdered free.
119	Sen. Wilde	Questions dollar value of these sales. Requests the break down of sales between powdered and powder free gloves.
120	Eberts	Responds approximately 250 - 300 million dollars in total glove sales. Comments that he will provide that information.
126	Sen. Wilde	Requests a copy of testimony, and comments on witness's presentation.
212	James Baker	Associate Professor of Internal Medicine and Pathology, Chief of the Division of Allergy, University of Michigan Medical Center, provides testimony in opposition to SB 1186. Comments on protein and antigen differences.
328	Henry Gong	Professor of Medicine, University of Southern California and Chief of Environmental Health Services, Rancho Los Amigos Medical Center, Downey, CA., provides testimony in opposition to SB 1186. Comments on the theory of aerosolization.
343	Eberts	Notes that all the above information is included EXHIBIT MM.
349	Chair Fisher	Questions the molecule size of cornstarch.

373	Gong	Responds that the Mayo clinic study identified the size to be greater than 5-10 micrometers in aerodynamic diameter.
388	Chair Fisher	Questions the micron size that could be inhaled.
393	Gong	Responds 5, 4, 3, 2, etc. or less. The smaller the molecule the farther into the lung it will be able to travel.
398	Sen. Wilde	Questions when the Mayo Clinic study was published.
400	Gong	Responds several years ago, 1995 maybe.
405	Sen. Wilde	Questions when studies were conducted and what was the sample size.
425	Gong	Responds that the results have not been published yet; 30 gloves were examined each day of the study.
442	Sen. Wilde	Questions location of monitors during the study.
444	Gong	Responds that personal monitors were in the breathing zone and 1 and 2 meters in distance from the sight manipulation.
450	Sen. Wilde	Questions if this is a standardized procedure.
451	Gong	Responds affirmatively. Notes that a particle counter was present to identify real particles being released from the gloves.
459	Sen. Wilde	Questions if the particle sampler indicated particle size.
461	Gong	Responds no, the sampler counted the number of particles.
<b>TAPE 75, A</b>		
010	Sen. Wilde	Questions if Allegiance Healthcare Corporation is currently involved with any litigation.
017	Eberts	Responds affirmatively.
028	Sen. Castillo	Questions that removing powder does not effect the allergic reaction.
034	Baker	Responds affirmatively.
046	Eberts	Comments on precautions needed for latex allergies.
060	Todd Milke	Regional Director State Governmental Affairs, Johnson & Johnson, provides testimony in opposition to SB 1186 and submits written testimony from Daniel R. Fischel and Robert S. Stillman ( <b>EXHIBIT PP</b> ).
095	Sen. Wilde	Questions Johnson & Johnson's annual sales of latex gloves.
099	Milke	Responds under 50 million dollars.
130	Sen. Wilde	Questions the earnings between powder and powder free gloves.
124	Milke	Responds that he does not have that information, however, it is close to the market figures of 84 percent powdered, 16 percent unpowdered.
147	Sonja Skurdal-Bunn	Constituent, provides testimony in support of SB 1186 ( <b>EXHIBIT QQ</b> ).
181	Jan Rutherford	Medical technologist, provides testimony in support of SB 1186.
240	Ed Patterson	Representing Oregon Association of Hospitals and Health Systems,

		provides testimony in opposition to SB 1186 ( <b>EXHIBIT RR</b> ).
265	Pat Mason	Nurse epidemiologist, Infection Control Coordinator, Salem Hospital, representing Association for Practitioners and Infection Control and Epidemiology, provides testimony in opposition to SB 1186.
288	Steve Howard	Director, Materials Management, Sacred Heart Medical Center, Eugene, provides testimony in opposition to SB 1186 ( <b>EXHIBIT SS</b> ).
340	Patterson	Refers to EXHIBIT RR and the fiscal impact of SB 1186.
389	Claire Rozman	Operating room nurse manager, Sacred Heart Medical Center, Eugene, provides testimony in opposition to SB 1186 ( <b>EXHIBIT TT</b> ).
420	Sen. Wilde	Questions Mr. Patterson why some hospitals are deciding to transfer to a powder free environment?
<b>TAPE 74, B</b>		
009	Patterson	Responds that currently there are several hospitals converting to a powder free environment, however, they are not converting in the operating room environment.
014	Sen. Wilde	Questions if there are any FDA regulations requiring the washing gloves before surgery.
018	Rozman	Responds that she is unaware of any FDA requirements, however there are personal physician requirements in place.
027	Sen. Castillo	Questions which hospitals have gone to a powder free environment.
029	Patterson	Responds there are two hospitals in Josephine County, one in The Dalles, and one other.
032	Sen. Castillo	Questions the reasoning for converting.
034	Patterson	Responds that he is unaware of the reason to convert, however he is aware that hospital management and staff work together in the decision making process.
050	Howard	Comments that some hospitals convert to the powder free exam gloves for economic reasons.
065	Sen. Wilde	Questions how the Mayo Clinic could record a savings.
078	Howard	Responds that there are different ways of indicating accounts payable expenses.
095	Sen. Wilde	Comments that he will contact the Clinic and request the specific information.
107	Chair Fisher	Submits written testimony from Rodger Barkus, Phillip Leveque, and Jane Myers on SB 1186 ( <b>EXHIBIT UU</b> ).
152	Jim Carlson	Representing Oregon Health Care Association, provides testimony in opposition to SB 1186.
171	Terry Kramer	Oregon Alliance of Senior and Health Services , provides testimony in opposition to SB 1186.
194	Jim Williams	Interim Director, Logistics of Oregon Health Science University, provides testimony in opposition to SB 1186 notes the fiscal impact ( <b>EXHIBIT VV</b> ).

224	Sen. Wilde	Comments that this bill does not address banning latex.
228	Carlson	Responds that the fiscal impact was determined by converting from a powdered to non-powdered latex environment.
238	Hal Smith	Contamination control specialist, Contamination Control Northwest, provides testimony addressing materials used in producing latex gloves.
301	Chair Fisher	Closes public hearing on SB 1186, adjourns the meeting at 10:45pm.

**Submitted By, Reviewed By,**

**Sandy Thiele-Cirka, Anne E. Tweedt,**

**Administrative Support Administrator**

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**EXHIBIT SUMMARY**

**A - SB 384, Department of Human Resources, Health Division, Cynthia Thompson, 6pp**

**B - SB 729, Oregon Advocacy Center, Bob Joondeph, 2pp**

**C - SB 729, Mental Health and Developmental Disability Services Div., Madeline Olson, 1pp**

**D - SB 729, Oregon Psychiatric Association, John McCulley, 1pp**

**E - SB 833, Oregon Advocacy Center, Bob Joondeph, 2pp**

**F - SB 833, Mental Health and Developmental Disability Services Div., Madeline Olson, 1pp**

**G - SB 447, Independent Employer Association, Grover Simmons, 10pp**

**H - SB 447, Multnomah County Oregon, Jean DeMaster, 3pp**

**I - SB 448, Independent Employer Association, Grover Simmons, 2pp**

**J - SB 448, Governor's Commission on Senior Services, Lee Hazelwood, 1pp**

**K - SB 448, Oregon Newspapers, Gail Ryder, 4pp**



**L - SB 448, Written testimony, May D. Dasch, 1pp**

**M - SB 449, Independent Employer Association, Grover Simmons, 2pp**

**N - SB 449, Written testimony, Edward Gustafson, 1pp**

**O - SB 449, Governor's Commission on Senior Services, Lee Hazelwood, 1pp**

**P - SB 449, Alzheimer's Association, May D. Dasch, 1pp**

**Q - SB 450, Independent Employer Association, Grover Simmons, 1pp**

**R - SB 450, Governor's Commission on Senior Services, Lee Hazelwood, 1pp**

**S - SB 450, Oregon Association of Area Agencies on Aging, Jacqueline Zimmer, 8pp**

**T - SB 450, Clackamas County, John Mullin, 8pp**

**U - SB 450, Multnomah County Oregon, Jean DeMaster, 3pp**

**V - SB 450, Written testimony, Thelma J. Lofquist, 3pp**

**W - SB 694, Written testimony, Jack L. McIsaac, 5pp**

**X - SB 694, Written testimony, Laurel Thomas, 5pp**

**Y - SB 694, Department of Administrative Services, Dan Hartman, 1pp**

**Z - SB 694, Oregon Medical Association, Scott Gallant, 4pp**

**AA-SB 694, Written testimonies, staff, 44pp**

**BB-SB 694, Oregon Health Sciences University, Rodney Norton, 3pp**

**CC-SB 535, United Seniors of Oregon, James Davis, 4pp**

**DD-SB 535, Oregon Denturist Association, Ken Holden, 4pp**

**EE-SB 535, Written testimony, Darcy C. Kerr, 11pp**

**FF-SB 535, Health Division Licensing Programs, Susan K. Wilson, 2pp**

**GG-SB 535, Oregon Board of Dentistry, Lewis Blue, 1pp**

**HH-SB 535, Oregon Dental Association, Jane Myers, 4pp**

**II - SB 535, Written testimony, Johan Wold, 3pp**

**JJ- SB 536, United Seniors of Oregon, James Davis, 2pp**

**KK-SB 1186, Oregon Nurses Association, Pat Kabele, 20pp**

**LL -SB 1186, -1 and -2 amendments, staff, 2pp**

**MM-SB 1186, Written testimony, Richard F.Edlich, 12pp**

**NN - SB 1186, Written testimony, Donald Beezhold, 6pp**

**OO - SB 1186, Allegiance Healthcare Corporation, Sam Eberts, 72pp**

**PP - SB 1186, Johnson & Johnson Inc., Todd Milke, 26pp**

**QQ - SB 1186, Written testimony, Sonja Skurdal-Bunn, 1pp**

**RR - SB 1186, Oregon Association of Hospitals and Health Systems, Ed Patterson, 3pp**

**SS - SB 1186, Sacred Heart Medical Center, Steve Howard, 1pp**

**TT - SB 1186, Sacred Heart Medical Center, Claire F. Rozman, 1pp**

**UU -SB 1186, Written testimonies, staff, 9pp**

**VV- SB 1186, Oregon Health Science University, Jim Williams, 1pp**

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