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SENATE COMMITTEE ON LIVABILITY

May 6, 1997 Hearing Room C

3:00 P.M. Tapes 59 - 61

MEMBERS PRESENT:

Sen. Ted Ferrioli, Chair

Sen. Bob Kintigh, Vice-Chair

Sen. Kate Brown

Sen. Ginny Burdick

Sen. Eileen Qutub

MEMBER EXCUSED:

STAFF PRESENT:

Christin Smith, Administrator

Nora Carlson, Administrative Support

MEASURE/ISSUES HEARD:

SB 543 Reconsideration and Work Session

SB 569 Public Hearing and Work Session

SB 675 Public Hearing and Work Session

SB 874 Public Hearing and 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 59, A		
005	Chair Ferrioli	Calls meeting to order at 3:20 p.m. Opens work session on SB 543.
<u>SB 543 WORK SESSION</u>		
006	Sen. Qutub	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering SB 543.
008	Chair Ferrioli	AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Brown, Kintigh The motion CARRIES.
015	Sen. Qutub	MOTION: Moves to RECONSIDER the vote by which SB 543 was moved to the floor with a DO PASS AS AMENDED recommendation.
017	Christin Smith	Administrator, reviews provisions of the bill.
020	Chair Ferrioli	AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Brown, Kintigh The motion CARRIES.
051	Sen. Qutub	MOTION: Moves to ADOPT SB 543-A3 amendments dated 4/28/97.
052	Chair Ferrioli	AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Brown, Kintigh The motion CARRIES.
		MOTION: Moves SB 543 to the floor with a DO PASS AS

053	Sen. Qutub	AMENDED recommendation.
054	Chair Ferrioli	AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Brown, Kintigh
055	Chair Ferrioli	The motion CARRIES. SEN. BROWN will lead discussion on the floor.
052	Chair Ferrioli	Closes work session on SB 543; opens public hearing on SB 569.
<u>SB 569 PUBLIC HEARING</u>		
055	Rep. Lonnie Roberts	District 21, provides testimony in support of SB 569, issues discussed: * certificate of need * fund-raising to comply with federal requirements
095	Chair Ferrioli	Asks to explain the town of Coquille's investment in the building site.
098	Rep. Roberts	Responds that the if the project is not started within a certain time the federal money will be withdrawn.
113	Chair Ferrioli	Asks if the state is investing money toward the program.
115	Rep. Roberts	Responds that the state paid \$1 toward the investment to satisfy law requirements.
120	Sen. Burdick	Asks if the facility is not successful in filling its beds, would the state incur responsibility.
124	Rep. Roberts	Responds that he does not know if the state would have to incur responsibility but believes that the issue will never come up.
133	Sen. Burdick	Asks why he is not comfortable in going through the certificate of need process.
135	Rep. Roberts	Responds that he does not agree with the requirement for the certificate of need and that there are time and cost limits involved in getting the project underway.
150	Rep. Ken Messerle	District 48, provides testimony in support of SB 569, issues discussed: * project funding * veterans' statistics
		Wasco County resident, provides testimony in support of SB

187	Bill Ward	569, issues discussed: * veterans' support * economic impact
229	Chair Ferrioli	Asks if veterans facilities are comparable to other nursing facilities.
232	Ward	Agrees and comments that there is a certain type of camaraderie with any fraternal organization.
245	Jim Carlson	Representing the Oregon Health Care Organization, submits and provides testimony in opposition to SB 569 (EXHIBIT A) issues discussed: * taxpayer dollars * private facility closures * increased medical care costs
310	Carlson	Continues with testimony on impact to private facilities in Oregon.
360	Carlson	Continues with testimony, issues discussed: * displacement of elderly or disabled citizens * origin of bill proposal
410	Carlson	Continues with testimony on certificate of need.
TAPE 60, A		
020	Carlson	Continues with testimony on nursing facility occupancy rates.
070	Carlson	Continues with testimony on the issue of Veteran's Assistance (VA) health care cost.
093	Chair Ferrioli	Asks how occupancy rates will impact current nursing facilities.
097	Carlson	Responds that higher occupancy rates translate into lower costs.
100	Chair Ferrioli	Asks if the 242 available beds in the service area were occupied, whether that would equal 100 percent occupancy.
104	Carlson	Responds that it would not equate to 100 percent occupancy and further explains that the 242 beds are available in 18 facilities within an 8 county service area.
132	Carlson	Continues with testimony on veteran's benefits.
155	Chair Ferrioli	Asks for the approximate population of veterans.
157	Carlson	Responds that federal data included in his handout does not include the total veteran population.
168	Chair Ferrioli	Asks how many veterans are in Oregon.
		Responds that there are approximately 370,000 veterans and that

170	Carlson	not all of the veterans would be eligible for services.
181	Sen. Brown	Asks if any of the veterans who would be eligible for residence are women.
184	Carlson	Responds that some are women but that he does not have a detailed breakdown for veterans in Oregon.
198	Sen. Brown	Comments on the 80 percent of veterans that can get their needs met through the private sector and asks what happens to the other 20 percent.
204	Carlson	Refers to handout and reviews analysis for disability pensioners.
226	Sen. Veral Tarno	District 24, provides testimony in support of SB 569.
272	Thelma Bushnell	Myrtlewood resident, provides testimony in support of SB 569.
320	Fran Capehart	Coquille resident, submits and provides testimony in support of SB 569 (EXHIBIT B).
380	Candace Gottenberg	Representing Governor's Commission on Senior Services, submits and provides testimony in opposition to SB 569 (EXHIBIT C).
430	Gottenberg	Continues with testimony on nursing facility closures.
TAPE 59, B		
020	Sen. Brown	Asks if their organization testified in exempting The Dalles' facility from the certificate of need process.
022	Gottenberg	Responds that she was not a member of the commission at the time but will provide the committee with the information.
024	Chair Ferrioli	Asks about the number of certificates that have been granted within the past 10 years.
027	Gottenberg	Responds that he does not know the number but will provide the committee with the requested information.
129	Sen. Brown	Observes that with the growth in assisted living facilities a lot of certificates have not been granted.
032	Gottenberg	Agrees.
034	Eugene Organ	Executive Director, Oregon Disabilities Commission, submits and provides testimony in opposition to SB 569 (EXHIBIT D).
067	Sen. Brown	Comments on The Dalles' facility being exempted from the certificate of need process and asks about the fairness in not allowing the same for the Coquille facility.
070	Organ	Agrees but states that the issue is in future costs: the state would have to replace the cost of the facility if the building was not occupied.
		Representing the Oregon Alliance of Senior and Health

095	Teresa Kraemer	Services, submits and provides testimony in opposition to SB 959 (EXHIBIT E) .
130	Richard Lucht	Legislative Director, United Veterans Groups of Oregon, submits and provides testimony in support of SB 959 (EXHIBIT F) .
185	Lucht	Continues with testimony on concurrence with requirement for certificate of need.
200	Sen. Brown	Asks who made the commitment for the certificate of need process last session.
202	Lucht	Responds that the legislature put the process in place and the Oregon Department of Veterans Affairs and the United Veterans Group of Oregon concurred with the requirement.
205	Sen. Brown	Asks for clarification of Mr. Lucht's concerns.
208	Lucht	Responds that they agreed to the requirement but with the provision that there would be no changes to the requirements.
210	Sen. Brown	Asks if he has any knowledge of anyone within his organization making the commitment.
213 luch	Lucht	Responds that no one in his organization made the commitment.
220	Lucht	Continues with testimony, issues discussed: * self-supporting veterans home * qualification requirements
310	Sen. Brown	Asks why spouses are not eligible to receive facility services.
315	Lucht	Responds that he does not believe there would be an effort to separate husbands and wives. .
332	Ron Harlan	Representing the Military Order of the Purple Heart, provides testimony in support of SB 569.
350	Chair Ferrioli	Asks Mr. Fraser if the facility would be open to any veteran in Oregon.
352	Lyll Fraser	Veterans Affairs of Oregon, agrees that both male and female veterans would be eligible.
354	Sen. Brown	Asks about the number of women veterans in Oregon who are disabled.
356	Fraser	Responds that he does not have the numbers but will provide Sen. Brown with the numbers.
377	Dr. Grant Higgenson	State Health Officer, Department of Human Resources, provides introduction.
		Asks about the benefits available to veterans within a state

380	Sen. Burdick	facility but not available in private facilities.
385	Jane Fussell	Certificate of need Coordinator, Department of Human Services, provides breakdown of veteran's benefits.
420	Fussell	Continues with breakdown on disability pensions.
TAPE 60, B		
005	Sen. Burdick	Asks about per diem for veterans who were in a private facility.
007	Fussell	Responds that payments are only provided to veterans in state facilities and that the money goes toward the veteran's care.
009	Sen. Brown	Asks what it means in terms of dollars for the veterans.
012	Fussell	Responds that some veterans would not have to rely on the Medicaid program which would provide for more federal money to pay for their care.
015	Sen. Brown	Asks about the number of veterans who would be affected.
018	Fussell	Responds that she does not have the hard numbers available and describes the impact on single pensioners versus pensioners with dependents.
030	Sen. Burdick	Asks if an analysis was done on offsetting benefits versus the lack of benefits for people who may have to relocate.
035	Fussell	Responds that no analysis was done; notes that by singling out the veteran segment of the population, there will be ramifications to the rest of the population due to closures and lack of access.
035	Higgenson	Refers to earlier question on how many projects were completed through the certificate of need program and responds that between 1987 to present they approved 21 long-term care projects.
040	Chair Ferrioli	Closes public hearing on SB 569; opens work session on SB 569.
<u>SB 569 WORK SESSION</u>		
042	Sen. Qutub	MOTION: Moves SB 569 to the floor with a DO PASS recommendation.
044	Sen. Qutub	VOTE: 3-2 AYE: 3 - Kintigh, Qutub, Ferrioli NAY: 2 - Brown, Burdick
045	Chair Ferrioli	The motion CARRIES.

		SEN. TARNO will lead discussion on the floor.
050	Sen. Brown	Comments for the record on the purpose for the legislation and having to choose between two groups of people: relocating elderly people in the Coos Bay area, or requiring veterans to live in private nursing homes.
055	Chair Ferrioli	Agrees with Sen. Brown's concerns.
060	Sen. Brown	States that she and Sen. Burdick will serve notice of a minority report.
070	Chair Ferrioli	Closes work session on SB 569; opens public hearing on SB 675.
<u>SB 675 PUBLIC HEARING</u>		
075	Linda Sample-Lindholm	Executive Director, Manufactured Housing Communities of Oregon, provides working group status report and support of the proposed amendments to SB 675, which merges HB 3103 with SB 675 and creates processes for abandoned properties.
100	Pat Schwoch	Representing the Mobile Home Park Resident Coalition, provides testimony and support of the proposed amendments to SB 675.
114	Sen. Qutub	Asks if the -5 amendments incorporated into the -6 amendments.
117	Schwoch	Agrees.
122	Sen. Qutub	Asks to provide definition for a floating home and a dwelling unit.
125	Schwoch	Responds that floating homes (houseboats) are usually located in a marina, and mobile units (manufactured houses) are located in a park.
138	Sen. Brown	Asks about their willingness to eliminate the requirement for rent- increase meetings and replacing them with a general meeting.
140	Schwoch	Responds that a general meeting will provide a better opportunity to discuss community concerns.
165	John Van Landingham	Attorney, provides support for the proposed amendments to SB 675.
181	Steve Rose	Landlord, voices support of the proposed amendments to SB 675.
184	Sharon Fleming-Barrett	Representing the Oregon Rental Housing Association, submits and provides testimony in support of SB 675.

185	Chair Ferrioli	Close public hearing on SB 675; opens work session on SB 675.
<u>SB 675 WORK SESSION</u>		
200	Sen. Brown	MOTION: Moves to ADOPT SB 675-6 amendments dated 5/6/97.
202	Chair Ferrioli	AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Burdick The motion CARRIES.
204	Sen. Qutub	MOTION: Moves SB 675 to the floor with a DO PASS AS AMENDED recommendation.
206	Chair Ferrioli	AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Burdick
209	Chair Ferrioli	The motion CARRIES. SEN. BROWN will lead discussion on the floor.
210	Chair Ferrioli	Closes work session on SB 675. Calls meeting to recess at 4:55 p.m.
243	Chair Ferrioli	Reconvenes meeting at 5:03 p.m. Opens work session on SB 874.
<i>Encountered tape difficulty, tape had to be changed.</i>		
TAPE 61, A		
<u>SB 874 WORK SESSION</u>		
010	Stacey Chamberlain	Legislative Assistant to Sen. Leonard, submits proposed amendments to SB 874 on behalf of the working group (EXHIBIT I), issues discussed: * smoke detector requirements * 10 year life battery requirement * rental and home unit compliance
030	Sen. Qutub	Asks if everyone in the work group supports the proposed amendments.

040	Chamberlain	Responds that everyone supports the amendments.
045	Sen. Qutub	MOTION: Moves to ADOPT SB 874-10 amendments dated 5/6/97.
047	Chair Ferrioli	AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
050	Sen. Qutub	MOTION: Moves SB 874 to the floor with a DO PASS AS AMENDED recommendation. AYE: In a roll call vote, all members present vote Aye.
052	Chair Ferrioli	The motion CARRIES. SEN. LEONARD will lead discussion on the floor.
049	Chair Ferrioli	Adjourns meeting at 5:10 p.m.

Submitted By, Reviewed By,

Nora Carlson, Christin Smith,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 569, written testimony and materials, Jim Carlson, 31 pp

B - SB 569, written testimony, Fran Capehart, 4 pp

C - SB 569, written testimony, Candace Gottenberg, 2 pp

D - SB 569, written testimony, Eugene Organ, 2 pp

E - SB 569, written testimony, Teresa Kraemer, 2 pp

F - SB 569, written testimony and materials, Richard Lucht, 22 pp

G - SB 675, written testimony, Linda Sample-Lindholm, 1 p

H - SB 675, written testimony, Sharon Fleming-Barrett, 3 pp

I - SB 675, proposed amendments, Stacey Chamberlain, 4 pp
