

HOUSE COMMITTEE ON  
HUMAN RESOURCES AND EDUCATION

May 3, 1995       Hearing Room  
8:00 a.m.       Tapes - 104

MEMBERS PRESENT:

Rep. Dennis Luke, Chair  
Rep. Frank Shields, Vice-Chair  
Rep. Bill Fisher  
Rep. Mike Lehman  
Rep. Patti Milne  
Rep. Barbara Ross  
Rep. Lynn Snodgrass  
Rep. Charles Starr  
Rep. Terry Thompson  
Rep. Sharon Wylie

MEMBER EXCUSED:

Rep. John Meek

STAFF PRESENT:

Jan McComb, Committee Administrator  
Tom Mann, Committee Administrator  
Shelley Jones, Committee Assistant

MEASURES HEARD:

SB 378 Public Hearing & Work Session  
SB 539 Public Hearing & Work Session  
SB 971 Public Hearing & Work Session  
SB 384 Work Session  
SB 313 Public Hearing & Work Session  
SB 53 Public Hearing

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE ,   SIDE   A

005       CHAIR LUKE:   Calls meeting to order at 8:03 a.m.

          SB 378 PUBLIC HEARING & WORK SESSION

008       McCOMB:   Submits staff measure summary and explains the bill to committee.   (EXHIBIT A)

          TREASA ATWILL, WALDPORTE ELEMENTARY, LINCOLN COUNTY SCHOOL DISTRICT:  
Submits written testimony in support of SB 378.   (EXHIBIT B)

015       JOHN BEAULEAU, OREGON DEPARTMENT OF GEOLOGY:   Testifies how local agencies will assist in instruction on emergency procedures for earthquake and tsunami dangers and drills. Explains the speed for tsunami's to reach the Oregon coast.

114       -Explains the historical tsunami impacts on the coast.

120 MILNE: Questions the amount of time for additional tsunami or  
earthquake training.

150 MOTION: REP. MILNE: Moves SB 378 to the floor with a DO PASS  
recommendation.

175 SNODGRASS: Comments that this bill will have a fiscal impact on the  
school districts.

180 BEAULEAU: Comments the impacts should be minimum and include evacuation  
procedures including walking, rather than busing the students.

VOTE: In a roll call vote, all members present vote AYE. REP. MEEK is  
excused.

CHAIR: The motion CARRIES. REP. THOMPSON to carry to the floor.

#### SB 539 PUBLIC HEARING

220 MANN: Submits staff measure summary. (EXHIBIT C)

240 DAVID PLUNKETT, ADMINISTRATOR, OREGON BOARD OF OPTOMETRY: Submits and  
reviews testimony with committee. (EXHIBIT D)

290 LUKE: Comments that the fees should be included in the bill.

350 -Questions on the educational hours required for licensed optometrists.

378 DR. ERIC KNUDSEN, OPTOMETRIST: Comments on the bill.

390 LUKE: Asked if the budget for the Board of Optometry has been through  
Ways & Means and if it has been approved.

410 KNUDSEN: Responds to why additional hours are needed.

450 -Reviews the history of additional hours that has been added to the  
program over the years.

TAPE 103, SIDE A

050 THOMPSON: Questions why the additional cost of monitoring licensing  
renewals, comments that in other professions, if the license lapses then  
the party has to re-test.

090 WYLIE: Asked what the fee would be increased to.

095 PLUNKETT: The Board has not discussed an amount.

170 KEITH BURNS, OWNERS & OPERATORS OF OPTICAL STORES: Testifies against SB  
539 and that these proposals are premature since the Board is reviewing the  
entire licensing and fees.

240 ROSS: Clarifies which portion of the bill Mr. Burns is opposing.

250 BURNS: The section that outlines the required hours and the setting of  
fees.

#### SB 539 WORK SESSION

330 MOTION: REP. FISHER: Moves to conceptually amend SB 539 to put in the  
\$10.00 fee on line 7 page (1) and remove the brackets.

VOTE: Hearing no objections, the motion CARRIES.

MOTION: REP. SHIELDS: Moves to conceptually amend SB 539, page 2, line 14

add a period and remove the bracket after the word, "board".

400 LUKE: Favors Board establishing an upper limit.

414 FISHER: Not sure a minimum amount of hours is necessary without a maximum also.

430 LEHMAN: Two objectives, protect the public and protect the practitioner too.

440 LUKE: Asked if Rep. Shields will withdraw the conceptual amendment.

445 SHIELDS: Withdraws conceptual amendment motion.

MOTION: REP. LEHMAN: Moves to conceptually amend SB 539 to move the minimum on line 14, page 2 to a minimum of 30 hours.

475 VOTE: Hearing no objections, the motion CARRIES.

TAPE 102, SIDE B

053 MOTION: REP. STARR: Moves for unanimous consent to suspend the rules to conceptually amend SB 539 as stated in the previous motions and move to the Committee on State and School Finance.

VOTE: Hearing no objections, the motion CARRIES.

MOTION: REP. STARR: Moves SB 539 as conceptually amended to the Committee on State and School Finance with a DO PASS recommendation.

VOTE: In a roll call vote all members present vote AYE. REP. MEEK is excused.

SB 971 PUBLIC HEARING

095 MANN: Submits staff measure summary and LC-2 amendments. (EXHIBIT E)

110 DR. DONALD AUSTIN, OREGON HEALTH DIVISION: This bill was previously before this committee in the House bill version.

118 -Provides a data registry, entirely federally funded.

142 KENT BALLANTYNE, SENIOR VICE PRESIDENT, OREGON ASSOCIATION OF HOSPITALS AND HEALTH SYSTEMS: Submits testimony in support of SB 971. (EXHIBIT F)

ROBERT GRANATIR, M.D., OREGON MEDICAL ASSOCIATION: Submits testimony in support of SB 971. (EXHIBIT G)

LAURIE WINNER, EXECUTIVE DIRECTOR, COMMISSION FOR WOMEN: Submits testimony in support of SB 971. (EXHIBIT H)

SB 971 WORK SESSION

162 MOTION: REP. LEHMAN: Moves to adopt SB 971-A2 amendments dated 5/3/95.

VOTE: Hearing no objections, the motion CARRIES.

182 MILNE: Supports any research possible, but does have concerns about disclosure issues.

200 FISHER: Concerns about nursing homes providing staff to collect this data.

260 AUSTIN: Currently 60% of the facilities in the state already do data collection and reporting in some manner.

270 BALLANTYNE: Responds to Rep. Fishers questions on duplication and collection of data.

354 LUKE: The reporting can be clarified in the administrative rules and if reported by the primary physician then it will not necessarily be required by the nursing facility to report.

371 AUSTIN: Clarifies that if a patient is admitted to a facility, it has already been reported, does not want duplicated cases reported.

420 MILNE: Uncomfortable with imposing the civil penalty or fine.

460 -This legislation gives a lot of authority to the Health Division.

TAPE 103, SIDE B

050 AUSTIN: Comments on duplication of reporting and the collection of data on over 80% of the existing patients in the state.

070 MANN: Reviews ORS 442. and the definition of "hospitals".

120 FISHER: Questions about hospitals bordering other states and duo hospital admitting procedures.

150 LUKE: This bill needs an amendment on the definition of "hospitals" and the confidentiality issue. The committee will address this at the next meeting.

SB 384 WORK SESSION

170 MANN: Submits SB 384 -1 amendments. (EXHIBIT I)

190 MOTION: REP. SHIELDS: Moves SB 384 -1 amendments dated 5/2/95.

VOTE: Hearing no objections, the motion CARRIES.

MOTION: REP. SHIELDS: Moves SB 384 as amended to the floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE. REP. MEEK is excused.

CHAIR: The motion CARRIES. REP. ROSS to carry to the floor.

SB 313 PUBIC HEARING & WORK SESSION

220 MANN: Submits staff measure summary. (EXHIBIT J)

240 ED PATTERSON, VICE PRESIDENT GOVERNMENT RELATIONS, OREGON ASSOCIATION OF HOSPITALS AND HEALTH SYSTEMS: Submits testimony in support of SB 313. (EXHIBIT K)

300 LARRY BOWE, ASSOCIATE ADMINISTRATOR, HOOD RIVER MEMORIAL HOSPITAL: Submits and reviews testimony with committee. (EXHIBIT L)

320 MOTION: REP. WYLIE: Moves SB 313 to floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE. REP. MEEK is excused.

CHAIR: The motion CARRIES. REP. WYLIE to carry to the floor.

SB 53 PUBLIC HEARING

352 MANN: Submits staff measure summary. (EXHIBIT M)

380 CHRISTIE JOACHIM, EXECUTIVE DIRECTOR, OREGON BOARD OF CHIROPRACTIC  
EXAMINERS: Submits and reviews written testimony with committee. (EXHIBIT

N)

430 -continues review of written testimony. Ask that bill be adopted as  
presented.

TAPE 104, SIDE A

045 LUKE: Questions on diagnosis and minor surgery, especially diagnosis in  
proctology.

- Are chiropractors allowed under their scope of practice to do minor  
surgery now.

053 TIM MARTINEZ, OREGON MEDICAL ASSOCIATION: Testifies in opposition to SB  
53 and that the bill inappropriately expands the scope of current practice.

090 THOMPSON: Asked if there is any historical records showing damage done  
by chiropractors who have practiced this type of medicine in the past.

139 GLEN COMUNTIES, OREGON DOCTORS OF CHIROPRACTIC: Testifies in support of  
SB 53.

170 DR. STEVEN GARDNER, SANDY BOULEVARD CLINIC: Submits and reviews  
written testimony in support of SB 53 with committee. (EXHIBIT O)

240 -This bill is a clarification of what chiropractors are doing, have been  
doing and it clarifies what chiropractors can do.

300 CHUCK BENNETT, CHIROPRACTIC ASSOCIATION OF OREGON: Testifies that the  
question has been raised by the Oregon Board of Medical Examiners about  
proctologic examinations. Testifies in opposition of SB 53.

350 LEONARD RUTHERFORD, THE ASSOCIATION FOR CHIROPRACTIC EDUCATIONAL  
STANDARDS: Submits and reviews testimony with committee in opposition to  
SB 53. (EXHIBIT P)

440 CHAIR LUKE: Adjourns meeting at 10:35 a.m.

Submitted by,

Reviewed by,

Shelley Jones  
Committee Assistant

Jan McComb  
Committee Administrator

EXHIBIT LOG:

A- SB 378, Staff measure summary- Staff- 2 pages  
B- SB 378, Testimony- Atwill- 1 page  
C- SB 539, Staff measure summary- Staff- 1 page  
D- SB 539, Testimony- Plunkett- 2 pages  
E- SB 971, Staff measure summary and -A2 amendments- Staff- 2 pages  
F- SB 971, Testimony- Ballantyne- 3 pages  
G- SB 971, Testimony- Granatir- 2 pages  
  
H- SB 971, Testimony- Wimmer- 1 page  
I- SB 384, Amendments SB 384-1 - Staff- 1 page  
J- SB 313- Staff measure summary- Staff- 1 page  
K- SB 313- Testimony- Patterson- 2 pages

L- SB 313- Testimony- Bowe- 3 pages  
M- SB 53- Staff measure summary- Staff- 1 page  
N- SB 53- Testimony- Joachim- 3 pages  
O- SB 53- Testimony- Gardner- 5 pages  
P- SB 53- Testimony- Rutherford- 15 pages