

HOUSE COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

May 5, 1995 Hearing Room
8:00 a.m. Tapes 105- 108

MEMBERS PRESENT:

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

STAFF PRESENT:

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

MEASURES HEARD:

SB 918 Public Hearing & Work Session
SB 764 Public Hearing & Work Session
SB 971 Work Session
SB 739 Public Hearing & Work Session
SB 238 Public Hearing & Work Session

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

020 CHAIR LUKE: Opens meeting at 8:00 a.m.

SB 918 PUBLIC HEARING

MANN: Submits staff measure summary and LC-5 amendments. (EXHIBIT A)

025 SEN. BILL KENNEMER: Introduces bill to committee that clarifies who may use the title of psychologist.

060 -Reviews the list of exemptions allowable under the bill.

080 ERIC JOHNSON, PRESIDENT OF OREGON PSYCHOLOGICAL ASSOCIATION: The Oregon Psychological Association supports this bill. Submits and reviews testimony. (EXHIBIT B)

120 ROSS: Asked for clarification between students in training versus practitioners who are treating patients.

178 SHIELDS: Questions about clinical psychologist and especially clinical pastoral psychologist.

200 KENNERMER: Use of the word psychologist would have to include passing the requirements for licensing including educational training requirements.

260 BRAD ARALAM, BOARD OF PSYCHOLOGICAL EXAMINERS: The Board does not support this bill. Several issues are lacking or not addressed.

320 -The Boards objection is this bill does not protect the public, but rather individual practitioners.

366 ROSS: Ask how the public is not adequately protected by the language in this bill.

375 ARALAM: Would rather err on the side of protecting the public rather than the side of the private practitioners. The bill does not stop someone who loses their license from opening up shop using another title.

440 FISHER: Comments on Section 4 and whether a person would be disqualified for licensing and be unable to practice again.

TAPE 106, SIDE A

045 JODY FISHER, OREGON PSYCHOLOGICAL ASSOCIATION: Explains the revocation process and the work of the association to reach agreement on revocation.

070 ARALAM: Revocation is usually because of an extreme situation or danger. Other boards are not required to review the actions of the Oregon Psychological Examiners.

SB 918 WORK SESSION

130 MOTION: REP. SHIELDS: Moves SB 918 -A5 amendments dated 5/4/95.

VOTE: Hearing no objections, the motion CARRIES.

MOTION: REP. SHIELDS: Moves SB 918 as amended to the floor with a DO PASS

recommendation.

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

SB 764 PUBLIC HEARING

180 MANN: Submits staff measure summary and fiscal impact. (EXHIBIT C)

200 DENNIS MULUHILL, WASHINGTON COUNTY & ASSOCIATION OF OREGON COUNTIES: Submits testimony in support of SB 764-A to committee for review from Association of Oregon Counties. (EXHIBIT D)

230 KATHY PAGE, MULTNOMAH COUNTY, CORRECTIONS HEALTH: Explains the bill to the committee to provide safe care in the corrections facilities. Submits and reviews testimony with committee. (EXHIBIT E)

370 DON VICARS, CAPTAIN, CLACKAMAS COUNTY JAIL: Testifies in support of SB 764 and explains the process within the jail system.

Additional testimony submitted by the following:

-ROBERT McMANUS, LANE COUNTY SHERIFF and BENJAMIN SUNDERLAND, CORRECTIONS DIVISION CAPTAIN (EXHIBIT F)

430 SHIELDS: If the prison or jail initiates the medical visit, would there still be a co-pay.

440 PAGE: Responds no, if at the request of the agency.

TAPE 105, SIDE B

040 THOMPSON: Comments on the bill and the problems he has with charging inmates for medical treatment.

075 MEEK: Questions on the bill and the administration of medicine to inmates.

109 -Questions on grievance system for challenging the fee.

140 FISHER: Questions on protection for the pharmacist.

168 CATHERINE KNOW, ADMINISTRATOR OF HEALTH SERVICES DIVISION OF THE DEPARTMENT OF CORRECTIONS: Submits and reviews testimony in support of SB 764. (EXHIBIT G)

200 GARY SCHNABEL, BOARD OF PHARMACY: The Board does not oppose the bill and has been working on acceptable administrative rules to implement. The Board does not support the amendments added on the Senate side, page 3, line 40 which mandates by using the word "shall" instead of the word "may".

240 LUKE: Are the rules being developed for implementation.

280 FISHER: Difference in stock bottle versus individual prescriptions.

360 SCHNABEL: Comments on retail prices and that the state purchases on a state contract.

SB 764 WORK SESSION

415 MOTION: REP. ROSS: Moves SB 764 A to the floor with a DO PASS recommendation.

440 FISHER: Uncomfortable with the language delegating to nurses.

TAPE 106, SIDE B

060 FISHER: Questions on the liability and implementation of this bill.

070 SCHNABEL: Responds to the question and how medication is dispense in college infirmary dispensaries, where nurses have been able to do "stock bottle" dispensing under administrative rules.

120 PAGE: The issue of working with the Board of Pharmacy, the language in the bill has considered issues of liability and assurance to the agencies.

150 STARR: Moves the previous questions.

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

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

SB 971 WORK SESSION

165 MANN: Submits LC-2 and the revised LC-3 amendments and explains to committee. (EXHIBIT H)

190 ED PATTERSON, OREGON ASSOCIATION OF HOSPITALS: Some issues have occurred regarding the federal funding and possible cost impacts to some hospitals.

210 KENT BALLANTYNE, OREGON ASSOCIATION OF HOSPITALS AND HEALTH SYSTEMS: Amendments would not mandate to hospitals not currently participating in a registry unless they volunteer.

220 DON AUSTIN, OREGON HEALTH DIVISION: They have agreed on an amendment that hospitals that currently operate a cancer registry will not be charge, and hospitals that do not have a registry would do so voluntarily.

240 MOTION: REP. WYLIE: Moves to adopt SB 971 -A3 amendments dated 5/4/95.

VOTE: Hearing no objections, the motion CARRIES.

MOTION: REP. WYLIE: Moves SB 971 as amended to the Committee on Ways and Means with a DO PASS recommendation.

VOTE: In a roll call vote all members present vote AYE. REP. FISHER, LEHMAN are excused.

270 SNODGRASS: Moves to suspend the rules and allow Rep. Meek to vote.

275 LUKE: Hearing no objections, so ordered.

VOTE: SB 918 Rep. Meek votes AYE.

VOTE: SB 764 Rep. Meek votes AYE.

SB 739 PUBLIC HEARING

280 MANN: Submits staff measure summary. (EXHIBIT I)

290 TIM MARTINEZ, OREGON MEDICAL ASSOCIATION: Testifies in support of SB 739 and has worked out agreements with the physician assistants about problems in the rural area.

SB 739 WORK SESSION

295 MOTION: REP. MEEK: Moves SB 739 to the floor with a DO PASS recommendation.

VOTE: In a roll call vote, all membes present vote AYE. REP. LEHMAN is excused.

CHAIR: The motion CARRIES. REP. MEEK to carry to the floor. Later changed to REP. LEHMAN to carry to the floor.

SB 238 PUBLIC HEARING

300 MANN: Introduces LC-6 amendments to committee. (EXHIBIT J)

320 STEVE KAFOURY, OREGON ACUPUNCTURE ASSOCIATION: Explains the LC-6 amendments to committee.

350 ED PATTERSON, OREGON ASSOCIATION OF HOSPITALS: Submits and comments on the LC-7 amendments. (EXHIBIT K)

420 GWEN DAVIS, LEGISLATIVE COUNSEL: Amendments were issued at 5:00 last night or early this morning.

424 BRIAN DELASHMUTT, OREGON BOARD OF NURSES: Comments on the LC-7 amendments and the problems the Board has will the language.

TAPE 107, SIDE A

075 LUKE: Comments that he had direct contract with the Board of Nursing about amendments.

SPEAKER: ??

200 DELASHMUTT: If there is no responsiblity of the executives or managers, who is responsible to the Board.

215 LUKE: Questions on if nurses can go on strike, and if nurse-managers would take over.

238 ROSS: What kind of issue would it be that the nurse might develop policy that a board might not support.

280 PATTERSON: Does not want to start turf wars over licensing.

315 SNODGRASS: Ask what is the definition of "institution".

320 DIANE DOLSTRA. BOARD OF MEDICAL EXAMINIERS:

340 STEPHEN KAFOURY, ASSOCIATION OF PHYSICAL THERAPISTS: This is a house keeping bill and not controversial

PATTERSON:

TAPE 108, SIDE A

020 MARY ANN : BOARD OF NURSING: Testifies on the existing rules used by the Board and the history of establishing the rule for discipline for conduct or scope of practice.

060 -Comments on LC-7 amendments and disciplinary procedures used by the Board.

075 ROSS: Requested an example of a policy that might be covered under this language.

100 FISHER: Questions if any complaints have been filed that brought forth this amendment.

120 ED PATTERSON, OREGON HOSPITAL ASSOCIATION: Explains the past legislation on nursing and managing nurses or administrative nurses.

200 -Submits LC-8 amendments and explains the amendments to the committee. (EXHIBIT L)

236 DELASHMUTT: It is not a labor versus management issue. The Oregon Nurses Associaiton views it as a patient care issue.

280 SNODGRASS: Is there a certification or training to allow nurses to become administrators.

340 MARY ANN...: The delivery of health care is changing. The board's regulatory authority to the Board does not include administrative role, but rather nursing.

360 SNODGRASS: Would have liked to have seen an amendment addressing the changing role of nursing.

SB 238 WORK SESSION

416 MOTION: REP. LEHMAN: Moves to adjourn meeting

VOTE: In a roll call vote REP. LEHMAN, MILNE, ROSS, THOMPSON, WYLIE, SHEIDLS 6/5.

420 CHAIR: The motion CARRIES.

MEETING ADJOURNED 1 :45 p.m.