

HOUSE COMMITTEE ON
HUMAN RESOURCES & EDUCATION
SUBCOMMITTEE ON HUMAN RESOURCES

March 22, 1995 Hearing Room D
8:00 a.m. Tapes 20 - 22

MEMBERS PRESENT:

Rep. Charles Star, Chair
Rep. Sharon Wylie, Vice-Chair
Rep. Bill Fisher
Rep. Barbara Ross
Rep. Dennis Luke, ex-officio

STAFF PRESENT:

Tom Mann, Committee Administrator
Shelley Jones, Committee Assistant

MEASURES HEARD:

HB 2102 Public Hearing
HB 2563 Public Hearing
HB 2873 Public Hearing
HB 2338 Public Hearing
HB 2878 Public Hearing
HB 2877 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 STARR: Calls meeting to order at 8:06 a.m.

HB 2102 PUBLIC HEARING

005 MANN: Submits staff measure summary. (EXHIBIT A)

015 BARBARA ORAZIO, EXECUTIVE OFFICER, BOARD OF EXAMINERS OF NURSING HOME
ADMINISTRATORS: Submits and reviews testimony in support of HB 2102.
(EXHIBIT B)

070 -Reviews recommended changes from Board and Attorney General's Office.

100 GAIL RYDER, DIRECTOR OF GOVERNMENT AFFAIRS, OREGON NEWSPAPER PUBLISHERS
ASSOCIATION: Submits and reviews testimony in opposition of HB 2102.
(EXHIBIT C)

150 -Submits amendment for consideration.

HB 2563 PUBLIC HEARING

MANN: Submits staff measure summary and ORS 443.780. (EXHIBIT D)

190 DELL ISHAM, OREGON CARE PROVIDERS ASSOCIATION: Submits and reviews
testimony in support of HB 2563. (EXHIBIT E)

240 -ORS 443.780 would be repealed by this bill, the present system for adult foster care licensing was established in 1985.

310 -Reviewed Multnomah County audit on adult foster care homes, in the audit over 67% of the home inspected had problems.

335 ROSS: Ask if audit was performed by Multnomah County or the state.

340 ISHAM: Responds it was Multnomah County auditor.

375 ROBERT BURNELL, OREGON CARE PROVIDERS ASSOCIATION: Testifies about the consistency or standards in the current state system for adult foster care.

-Difficult for care providers to work in different counties.

420 -Administering differing rules in each of the counties is costly.

TAPE 21, SIDE A

070 LUKE: Questions how many licenses are required in Multnomah County.

080 DAVE ROPER, OREGON CARE PROVIDERS ASSOCIATION: Submits and reviews testimony. (EXHIBIT F)

150 JOHN MULLIN, DIRECTOR OF CLACKAMAS COUNTY SOCIAL SERVICES: Submits and reviews testimony in opposition of HB 2563. (EXHIBIT G)

-Clackamas County certifies care givers and set standards that were developed into state rules and standards.

210 ROSS: What is the county's response to care providers and there approach.

270 JIM McCONNELL, DIRECTOR OF MULTNOMAH COUNTY AGING SERVICES DIVISION: Submits and reviews testimony in opposition of HB 2563. (EXHIBIT H)

325 -Hearings or appeals of complaints are heard by the County Commissioners.

415 MERNA HARRISON, ADULT FOSTER CARE PROVIDERS: Testifies in support of HB

2563 and establishing a uniformed set of rules for licensing across the state. The current rules conflict from county to county.

TAPE 21, SIDE B

050 ROSS: Ask which county has the best set of rules and regulations that the speaker has had to deal with .

075 HARRISON: Responds that Multnomah County has the best set of rules and regulations.

075 DIANA ROBERTS, ADULT CARE PROVIDER: Submits testimony in support of HB 2563. (EXHIBIT I)

080 PENNY DAVIS, MULTNOMAH COUNTY LEGAL AID SERVICE, OREGON CITIZENS COALITION FOR BETTER NURSING HOME CARE: Submits and reviews testimony in opposition to HB 2563. (EXHIBIT J)

130 FISHER: Asked about licensing through out the state, and any counties that have an exemption from state fees.

180 DAVIS: Comments on the national criminal license check and future plans to implement.

200 LUKE: Questions about fiscal impact of this bill.

205 ISHAM: Comments that there is a fiscal impact on the state level, but

that the county programs are more expensive. If the state took over the programs it might be more cost efficient.

255 ROSS: Comments on neighborhoods that are having crime problems, and that adult foster care home placements should not be concentrated in those neighborhoods only.

HB 2873 PUBLIC HEARING

290 MANN: Submits staff measure summary and reviews with committee. (EXHIBIT K)

300 GROVER SIMMONS: Submits and reviews testimony in support of HB 2873. (EXHIBIT L)

380 LUKE: Ask who the state ombudsman's office is accountable to now, if disagreements, is there an appeal process.

383 SIMMONS: Directly under the Governor's office, and there is no appeal process.

420 LARK FISHER, IACPA: Submits and reviews testimony in support of HB 2873.

Complaints about previous ombudsman actions and reviews of homes. (EXHIBIT M)

TAPE 21, SIDE B

080 KELLY BLANCO, IACPA: Testifies in support of HB 2873. Complaints about ombudsman actions and mis-communications.

120 FRANK ARMSTRONG, CHAIR, GOVERNOR'S COMMISSION ON SENIOR SERVICES: Submits and reviews testimony in opposition to HB 2873. Would like to keep the program the way it is. (EXHIBIT N)

200 LUKE: Questions about the complaints received about the current office and the lack of response between the office and care providers.

260 -Ask if appointments to the current Commission on Senior Services are political appointees.

330 ROSS: Asked if there was anyway to have an appeal process, or checks and balances.

340 ARMSTRONG: Recommends more money for the three field officers for the state, and a commission or a body that oversees the state position.

420 FISHER: Frustration about handling complaints with or about the ombudsman office. Ask speaker about any suggestions for accountability.

TAPE 22, SIDE A

040 JULIA COOLEY, GOVERNOR'S OFFICE: Testifies that the Governor's office does not support placing the position back under the Governor's office.

070 DR. MARCELLE ROBINSON, LONG TERM CARE ADVISORY COMMITTEE: Testifies in opposition of HB 2873 and is a member of the advisory committee.

110 -Greater emphasis in getting into adult foster care homes rather than nursing homes.

130 -Not well monitored across the state and not able to get into enough homes.

180 JAMES DAVIS, LEGISLATIVE DIRECTOR, OREGON STATE COUNCIL OF SENIOR CITIZEN LOBBYIST: Submits testimony. (EXHIBIT O)

MEREDITH COTE, DIRECTOR, OFFICE OF THE LONG TERM CARE
OMBUDSMAN: Submits written testimony to the committee in opposition to HB
2873. (EXHIBIT W)

HB 2338 PUBLIC HEARING

200 MANN: Reviews LC-5 and LC-6 amendments. (EXHIBIT P)
250 -Main difference in the amendments is LC-6 allows for immediate medical
treatment using methodone in emergency.
-LC-5 is from Rep. Meek, LC-6 is from the committee.

DR. MARVA GRAHAM, EXECUTIVE AND MEDICAL DIRECTOR, ALLIED HEALTH
SERVICES FOR DRUG RECOVERY, INC.: Submits written testimony in opposition
to HB 338. (EXHIBIT Q)

290 MEEK: Explains the amendments and the use of methodone in withdrawal
and treatment.

335 TIM MARTINEZ, ASSOCIATE DIRECTOR, GOVERNMENT AFFAIRS, OREGON MEDICAL
ASSOCIATION: Comments on LC-5 and LC-6 amendments. Concern about a bigger

difference between LC-5 and LC-6, the use of synthetic product opiates. We

continue to have a philosophical difference in government micro-managing
medicine.

375 -Does not want to see government regulation impact the current program.

415 MARTINEZ: Respectfully disagrees with the proponents of this bill. You
are taking away one of the most successful ways to detox addicts, the use
of methodone.

425 CLARK CAMPBELL, STATE OFFICE OF ALCOHOL & DRUG ABUSE PROGRAMS:
bill originally started with the parole and probation officers not wanting
the ability to overrule a physicians prescribed use of methodone. Since
then, this bill has changed.

This

460 -Current law notwithstanding, the Legislation is moving the Office of
Alcohol and Drug Abuse under managed care, and methodone use will have more

monitoring and review.

TAPE 22, SIDE B

005 ROSS: Would like another work session on this bill and have time to
discuss the issues.

HB 2878 PUBLIC HEARING

030 MANN: Submits staff measure summary and ORS 443.400. (EXHIBIT R)

050 GROVER SIMMONS, INDEPENDENT ADULT CARE PROVIDERS ASSOCIATION: Testifies
in support of HB 2878.

135 SUSAN DIETSCH, SENIOR DISABLED SERVICES DIVISION: Submits and reviews
testimony in support of HB 2878 but since the fiscal impact is not included

in the Governor's budget they cannot support changing the current
diSB ursement system. (EXHIBIT S)

155 JIM CARLSON, OREGON HEALTH CARE ASSOCIATION: Testifies in support of
HB 2878 and would like to see it passed out of committee.

176 SHIRLEY GILLASPIE, ADULT CARE PROVIDER: Testifies in opposition to HB
2878.

HB 2877 PUBLIC HEARING

260 MANN: Submits staff measure summary. (EXHIBIT T)

325 GROVER SIMMONS: Explains the bill to the committee and the current fines in place.

389 -Comments on complaint process and complaints against provider in Clackamas County.

JIM McCONNEL, DIRECTOR OF MULTNOMAH COUNTY AGING SERVICES DIVISION:
Submits written testimony proposing language changes to HB 2877. (EXHIBIT U)

DICK LOFTIS, ADULT FOSTER CARE PROVIDER: Submits written testimony in support of HB 2877. (EXHIBIT V)

460 CHAIR STARR: Adjourns meeting at 11:00 a.m.

Submitted by,

Reviewed by,

Shelley Jones
Committee Assistant

Tom Mann
Committee Administrator

EXHIBIT LOG:

A- HB 2102, SMS- Staff- 1 page
B- HB 2102, Testimony- Orazio- 3 pages
C- HB 2102, Testimony- Ryder- 2 pages
D- HB 2563, SMS, ORS 443.780- Staff- 2 pages
E- HB 2563, Testimony- Isham- 2 pages
F- HB 2563, Testimony- Roper- 1 page
G- HB 2563, Testimony- Mullin- 2 pages
H- HB 2563, Testimony- McConnell- 3 pages
I- HB 2563, Testimony- Roberts- 6 pages
J- HB 2563, Testimony- Davis- 2 pages
K- HB 2873, SMS- Staff- 1 page
L- HB 2873, Testimony- Simmons- 2 pages
M- HB 2873, Testimony- Fisher- 2 pages
N- HB 2873, Testimony- Armstrong- 1 page
O- HB 2873, Testimony- Davis- 2 pages
P- HB 2338, LC-5, LC-6 amendments- Staff- 3 pages
Q- HB 2338, Testimony- Graham- 6 pages
R- HB 2878, SMS, ORS 443.400- Staff- 5 pages
S- HB 2878, Testimony- Dietsche- 1 page
T- HB 2877, SMS- Staff- 1 page
U- HB 2877, Testimony- McConnell- 2 pages
V- HB 2877, Testimony- Loftis- 8 pages
W- HB 2873, Testimony- Cote- 7 pages