

SENATE COMMITTEE ON  
HEALTH AND HUMAN SERVICES

March 13, 1995 3:00 P.M.

Hearing Room B  
Tapes 35 - 36

MEMBERS PRESENT: Sen. Stan Bunn, Chair  
Sen. William McCoy, Vice-Chair  
Sen. Lenn Hannon  
Sen. Bill Kennemer  
Sen. Randy Leonard

MEMBERS EXCUSED:

STAFF PRESENT: Art Wilkinson, Committee Administrator  
Mary Gallagher, Committee Assistant

MEASURES HEARD: HCR1 Public Hearing and Work Session  
SB 95 Work Session  
SB 539 Public Hearing and Work Session  
SB 380 Public Hearing and Work Session  
SB 381 Public Hearing and Work Session  
SB 235 Work Session  
SB 543 Public Hearing

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TAPE 35, A

002 CHAIR BUNN: Convenes the meeting at 3:03 P M in subcommittee  
Opens PUBLIC HEARING on HCR1  
  
008 REPRESENTATIVE JOHN MEEK, Dist. 5: Testifying IN SUPPORT OF HCR1  
  
023 Finishes testimony  
  
052 CHAIR BUNN: Re-opens PUBLIC HEARING AND WORK SESSION on HCR1.  
noting that there is now a quorum in the committee

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057 MOTION: SEN. HANNON: Moves that HCR1 be sent to the Floor with a DO  
PASS  
recommendation.

060 VOTE: CHAIR BUNN: Hearing no objection, motion CARRIES. SEN. LEONARD  
is EXCUSED. SEN. HANNON will CARRY the bill.

065 CHAIR BUNN: Discusses proper procedure to deal with SB 95.  
074 MOTION: SEN. HANNON: Moves suspension of the Senate Rules.

078 VOTE: CHAIR BUNN: Hearing no objection, motion CARRIES. SEN. LEONARD  
is EXCUSED.

080 MOTION: SEN. HANNON: Moves that SB 95 be sent to the President's Desk  
for removal of the subsequent referral, and then sent AS AMENDED to the  
Floor with a DO PASS recommendation

088 VOTE: CHAIR BUNN: Hearing no objection, motion CARRIES. SEN. LEONARD  
is EXCUSED.

095 CHAIR BUNN: Opens PUBLIC HEARING and WORK SESSION on SB 539  
104 DAVID PLUNKETT, Administrator, Board of Optometry: Testifying IN SUPPORT  
OF SB

539. [EXHIBIT A]

136 KENNEMER: You want to increase the number of credit hours to how many?

137 PLUNKETT: The Board hasn't determined a definite number; probably to  
forty. The current number required is 30 hours.

144 KENNEMER: How many of your licensees have taken advantage of the  
therapeutics option?

145 PLUNKETT: Out of about 550 active licensees, approximately 425 have.

160 Finishes testimony.

161 CHAIR BUNN: This bill has a subsequent referral to Government Finance  
and Tax Policy and it does have a Fiscal Impact. It seems to me that it  
ought to go to Ways and Means, rather than Government Finance. If we as a  
committee feel comfortable with dealing with the bill today, I'll entertain  
a motion that we send the bill to the President's Desk and recommend  
removal of the subsequent referral and dealing with a subsequent referral  
to Ways and Means.

172 ART WILKINSON, Committee Administrator: I believe you are correct that  
there is a Fiscal Impact, although we don't have that in front of us yet.  
The Board may want to respond to that.

174 PLUNKETT: The Fiscal Impact is not really significant; it amounts to  
approximately \$6,500 per year in increased fees.

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statements made during this session. Only text enclosed in quotation marks  
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189 KENNEMER: I'm surprised that none of your members are here. I'm  
uncomfortable with leaving that up to rule. Did the original bill not  
require additional continuing education?

201 HANNON: Responds to Kennermer.

214 KENNEMER: Is the thirty hours an annual or bi-annual amount?

215 HANNON: It's bi-annual.

218 CHAIR BUNN: Addresses Kennermer; recommends that a motion be entertained  
for sending the bill to the President's Office with removal of the subsequent  
referral to Government Finance & Tax Policy, and instead having a referral  
to Ways and Means, with a Do Pass recommendation.

226 KENNEMER: For the record, I object.

233 MCCOY: Have you suggested a number of hours that you would have for  
continuing education? Has the Board explored that idea?

237 PLUNKETT: It would be the intent of the Board at this time, although  
they haven't taken any action on it, that they would simply add those ten  
hours and make it 40 hours, or 20 hours per year instead of requiring that  
10 of the 30 hours be in therapeutics, as they're doing now.

247 MOTION: SEN. HANNON: Moves that SB 539 be sent to the President's Desk  
with a

request for removal of the subsequent referral to Government Finance & Tax  
Policy,

requesting instead a subsequent referral to Ways and Means, with a DO PASS  
recommendation.

253 CHAIR BUNN: Does this bill really need to go to Ways and Means. with  
such a small Fiscal

Impact?

254 HANNON: Not really. We typically don't send anything under \$50,000 to  
Ways and Means.

258 MOTION: SEN. HANNON: Amends previous motion--moves that SB 539 be sent

to the President's Desk with a request of the removal of the subsequent referral and then directly to the Floor with a DO PASS recommendation.

266 VOTE: CHAIR BUNN: Motion CARRIES. SEN. KENNEMER OBJECTS. All members are present. SEN. HANNON will CARRY the bill.

271 CHAIR BUNN: Opens PUBLIC HEARING and WORK SESSION on SB 380 and SB 381  
277 SENATOR RON CEASE, Dist. 10: Testifying IN SUPPORT OF SB 380 and SB 381.  
1EXHIBIT B1

358 Finishes testimony.

359 HANNON: Commends Sen. Cease for his work on the Hunger Relief Task Force.

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374 CEASE: Responds.

384 CHAIR BUNN: Suggests that the witnesses signed up to testify on these bills come up in groups of three. Calls next three witnesses; asks them to keep their comments brief.

TAPE 36, A

008 MIKE SKEELS, Acting Administrator, Health Division: Testifying IN  
OPPOSITION TO SB 380. 1EXHIBITS C-1 and C-21  
-We cannot support SB 380 for two reasons: First, this additional General Fund is not contained in the Governor's budget. Second, if the Division were given an additional \$1 million in General Fund, we would recommend that it be invested in higher priorities.

053 Finishes testimony.

054 CHAIR BUNN: Could you provide to the committee some of the higher priority spending that you would do'?

056 SKEELS: Yes, we can provide you with a list of the kinds of things that we've had to cut.

060 CHAIR BUNN: I would ask that you provide that list to our Committee Administrator. We'll hold the Work Session at another time.

073 PAUL ARBUTHNOT, Vice President/General Manager, Sunshine Dairy: Testifying IN SUPPORT OF SB 380. NO EXHIBIT.  
094 Finishes testimony.

095 ELLEN LOWE, Chair, Oregon Hunger Relief Task Force: Testifying IN SUPPORT OF SB 380 and SB 381. 1EXHIBITS D-1 to D-41

150 Finishes testimony.

151 KENNEMER: In a time of limited resources, would we do better to put

the money into the County Health Dept., or put it here?

155       LOWE: Responds.

167 CHAIR BUNN: When we have the list of priorities from the Health Division, I would like to have you take a look at that and respond to it. I would acknowledge that it's a horrible choice to be asked to prioritize between two sets of compelling programs, if it comes down to that. This committee would not ask you to do that kind of comparison unless we're in a position to deal with the other priorities that are listed. If in fact we have bills that deal with those other priorities, we do want your help in identifying which of the two priorities has the greatest importance from your standpoint.

184       LOWE: I don't look forward to that.

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194 CHAIR BUNN: Calls next three witnesses.

205 CELIA NUNEZ-BREWSTER, Executive Director, Commission on Hispanic

Affairs:

Testifying IN SUPPORT of SB 380 and SB 381. [EXHIBIT E]

245 Finishes testimony.

249 VERNITA REYNA, Public Health Nutritionist for Marion Co. Health Dept.:

Testifying IN

SUPPORT OF SB 380. [EXHIBIT F]

286 Finishes testimony.

287 CHAIR BUNN: Invites Sen. Brady Adams to testify on SB 380 and SB 381.

292 SENATOR BRADY ADAMS, Dist. 25: Testifying IN SUPPORT OF SB 380 and SB

381. NO

EXHIBIT.

320 Finishes testimony.

325 BOB CASTAGNA, Director, Oregon Catholic Conference: Testifying IN

SUPPORT OF SB

380 and SB 381. NO EXHIBIT.

339 Finishes testimony.

345 CHAIR BUNN: Calls next two witnesses.

353 RACHEL BRISTOL LITTLE, Executive Director, Oregon Food Bank: Testifying

IN

SUPPORT OF SB 381. [EXHIBIT G]

TAPE 35, B

475 LITTLE: Continuing testimony.

482 Finishes testimony.

484 CAROLYN LANDIS, Executive Director, Yamhill Community Action Agency:

Testifying

IN SUPPORT OF SB 381. NO EXHIBIT.

514 Finishes testimony.

516 CHAIR BUNN: Announcements to committee members.

537 Calls 10-minute recess.

538 Re-convenes at 4:12.

Opens WORK SESSION on SB 235

541 KEITH PUTMAN, Committee Researcher: Addresses committee re: SB 235.

Hands out -1

Amendments [EXHIBIT H]

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557 EDWARD JOHNSON, State Registrar, Vital Records: The amendments are acceptable to me.

560 MOTION: SEN. LEONARD: Moves adoption of the SB 235.1 Amendments.

569 PUTMAN: Clarifies the -I Amendments at the request of Sen. McCoy.

584 VOTE: CHAIR BUNN: Hearing no objection, motion CARRIES. SEN. KENNEMER is EXCUSED.

588 PUTMAN: Hands out and discusses -2 Amendments. IEXHIBIT I

605 MOTION: SEN. MCCOY: Moves adoption of the SB 235-2 Amendments.

613 JOHNSON: Clarifies the -2 Amendments for the commiKee.

621 VOTE: CHAIR BUNN: Hearing no objection, motion CARRIES. All members are present.

624 CHAIR BUNN: Addresses Mr. Castagna: It's my understanding that your concerns about this have been addressed; is that correct?

629 BOB CASTAGNA, Oregon Catholic Conference: We have concerns about some of the practices in society which may be cause for invoking some of these sections, but we're not going to object to the bill. We think the issue can be raised in other pieces of legislation.

635 PUTMAN: LFO has indicated that while there is no Fiscal Impact to the Health Division, language in the bill that previously called for a fee of \$25.00 has been deleted and it's left unspecified--the Division does not plan to raise the fee; they ve indicated that to me and to the LFO, and that effect being there's no budgetary sign)ficance one way or another to this bill. Hands out Fiscal Analysis statement on SB 235.1EXHIBIT J]

648 MCCOY: They have deleted the \$25.00? (Putman responds aff~rmatively.) And so what's the agreement? Are they going to raise the fee, or not?

650 JOHNSON: We do have a fee schedule of all of the fees that we charge for Vital Records, and they are established within our rulemaking process. The fee that was in the bill, that we've deleted, was the fee for an heirloom Birth Certificate and that fee, if it changes, it changes with all the rest of our fees. Basically, we didn't want to have conflicting information in two different spots.

673 KENNEMER: Question to Johnson regarding Class C felony class)fication.

675 JOHNSON: Responds.

689 CHAIR BUNN: Let me suggest something that might cut through thisSen. Kennemer, I think you raise a legitimate issue. I would suggest that we recess on this and have our staff talk to Bill Taylor on the Judiciary CommiKee right now, and based on their workload, find out if they want the bill or not. Then

we'll deal with this again right before we close this meeting.

701 - HANNON: I'm going to vote No on this.

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704 CHAIR BUNN: Temporarily Recesses the PUBLIC HEARING on SB 235

713 CHAIR BUNN: We have only about 20 minutes to hear SB 543 and there are 4 people signed up against the bill, 2 people for it, and 2 people who want to amend it. I would like those for the bill to get together and those opposed to get together and try to present your testimony in a brief, unified way.

755 OPENS PUBLIC HEARING on SB 543

758 JIM CARLSON, representing Oregon Health Care Association: Testifying IN SUPPORT OF

SB 543. [EXHIBIT K0034 Finishes testimony.

839 DENNIS RUSSELL, representing Oregon Association of Homes for the Aging: Testifying IN

SUPPORT OF SB 543. [EXHIBIT L]

871 Finishes testimony.

872 DELL ISHAM, representing Oregon Care Providers Association: Testifying IN SUPPORT

OF SB 543. Suggests one minor Amendment. NO EXHIBIT.

TAPE 36, B

475 ISHAM: Finishes testimony. Agrees to provide written testimony to the committee later.

479 ELIZABETH FLORID, representing Oregon Association for Home Care: Introduces Pam Matthews.

483 PAM MATTHEWS, Administrator, HomeCare Network: Testifying IN SUPPORT OF SB 543 with proposed Amendment. 1EXHIBIT M1

493 JACQUELINE ZIMMER, representing Area Agencies on Aging: Basically we support this

but are looking for more balance on the committee. We want to make sure the Ombudsman is a member with full voting privileges. [EXHIBIT N]

505 ZIMMER: Finishes testimony.

507 HANNON: Discusses Ed Patterson's proposed Amendment with the committee.

515 ED PATTERSON, Vice-President/Chief of Government Relations, Oregon Association of Hospitals and Health Systems: Adds comments to Hannon's statements on his Amendment 1EXHIBIT \*

524 KENNEMER: I think there's a likely chance that Section 1 will be fully deleted. That would be my expectation, and that may change some of the comments of those opposing this bill.

529 SUSAN DIETSCH, Assistant Administrator, DHR, Senior and Disabled Services Division:

Testifying IN OPPOSITION TO SB 543. [EXHIBIT P]

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535 HANNON: You say there's likely to be tremendous fiscal impact, yet there's an affidavit signed by the Attorney General's office that you're already doing this, so how can you say it's going to have tremendous fiscal impact on something that you're already doing?

540 CHAIR BUNN: We'll have to hold that question for now, and continue with the testimony.

544 DIETSCH: The main issue with this bill is that we primarily see this as direction for the Division to change its reimbursement system.

558 Finishes testimony.

559 CHAIR BUNN: We're going to hold this bill so that everyone has an opportunity to submit written testimony and speak with members of this committee individually.

565 LEE HAZELWOOD, Legislative Coordinator, Governor's Commission on Senior Services: Testifying IN OPPOSITION TO SB 543. [EXHIBIT Q1]

604 Finishes testimony.

607 CHAIR BUNN: Closes PUBLIC HEARING on SB 543

612 Re-opens PUBLIC HEARING on SB 235

MOTION: SEN. MCCOY: Moves that SB 235, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

VOTE: CHAIR BUNN: Motion CARRIES. SEN. KENNEMER and SEN. HANNON OBJECT. All members are present. SEN. MCCOY will CARRY the bill.

622 CHAIR BUNN: Makes announcement to the committee about the need for late meetings.

643 Adjourns the meeting at 4:50 P.M.

Submitted by,

Mary Gallagher  
Committee Assistant

Reviewed by,

Art Wilkinson  
Committee Administrator

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EXHIBIT SUMMARY:

- A - Written Testimony on SB 539--David Plunkett--1 page
- B - Written Testimony on SB 380 and SB 381--Senator Cease--2 pages
- C-1 Written Testimony on SB 380--Mike Skeels--2 pages
- C-2 Chart Relating to SB 380--Mike Skeels--1 page

D-1      WIC Booklet Relating to SB 380 and SB 381--Ellen Lowe--1 1 pages  
 D-2      Written Testimony on SB 380--Ellen Lowe--1 page  
 D-3      Written Testimony on SB 381--Ellen Lowe--1 page  
 D-4      OHRFT Report to the Legislature, Relating to SB 38~nd SB 381--Ellen  
 Lowe--26 pages  
          E - Written Testimony on SB 380 and SB 381--Celia Nunez-Brewster--2 pages  
 F -      Written Testimony on SB 380--Vernita Reyna--2 pages  
 G -      Written Testimony on SB 381--Rachel Bristol Little--9 pages  
 H -      -1 Amendments to SB 235--Keith Putman--1 page  
 I -      -2 Amendments to SB 23S--Keith Putman--1 page  
 J -      Fiscal Analvsis of SB 235--Keith Putman--1 page  
          K - Wrinen Testimony on SB 543--Jim Carlson--1 1 pages  
 L-      AnalysisofSB 543--Dennis Russell--1 page  
 M -      Written Testimony/Proposed Amendment on SB 543--Pam Matthews--2 pages  
 N -      Written Testimony/Proposed Amendments on SB 543--Jacqueline Zimmer--1  
 page  
          O -      Written Testimony/Proposed Amendment on SB 543--Ed Patterson--3 pages  
          P -      Written Testimony on SB 543--Susan Dietsche--3 pages  
          Q -      Written Testimony on SB 543--Lee Hazelwood--2 pages

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