

SENATE COMMITTEE ON
HEALTH AND HUMAN SERVICES

Hearing Room
Tapes - 69

MEMBERS PRESENT:

Sen. Stan Bunn, Chair
Sen. Bill Kennemer
Sen. Randy Leonard

MEMBERS EXCUSED:

Sen. Lenn Hannon
Sen. William McCoy, Vice-Chair

STAFF PRESENT:

Art Wilkinson, Committee Administrator
Mary Gallagher, Committee Assistant

MEASURES HEARD:

SB 499 Public Hearing
SB 671 Public Hearing
SB 976 Public Hearing
SB 1126 Public Hearing
SB 492 Public Hearing
SB 715 Public Hearing
SB 739 Public Hearing
SB 746 Public Hearing
SB 818 Public Hearing
SB 849 Public Hearing
SB 977 Public Hearing

SB 1063 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 , A

002 CHAIR BUNN: Calls the meeting to order at 3:08 P.M.
 -Announcements

055 Continuing announcements.

073 Opens PUBLIC HEARING on SB 499

076 STATE SENATOR BILL DWYER, Dist. #21: Speaking IN SUPPORT OF SB 499.

WRITTEN TESTIMONY OF JOHN GREEN, M.D. (AURORA HEALTH CLINIC) IN SUPPORT OF

SB 499: [EXHIBIT A]

WRITTEN TESTIMONY OF PAUL DART, M.D. IN SUPPORT OF SB 499: [EXHIBITS B, C,
D]

WRITTEN TESTIMONY OF JOHN POTTS IN SUPPORT OF SB 499: [EXHIBIT E]

WRITTEN TESTIMONY OF JOHN GAMBEE, M.D. IN SUPPORT OF SB 499: [EXHIBIT F]

WRITTEN TESTIMONY OF JENNIFER CHRISTIANSEN IN SUPPORT OF SB 499: [EXHIBIT G]

WRITTEN TESTIMONY OF ELIZABETH HAHN IN SUPPORT OF SB 499: [EXHIBIT H]

WRITTEN TESTIMONY OF MARYLOU BELKNAP-JONES IN SUPPORT OF SB 499: [EXHIBIT I]

WRITTEN TESTIMONY OF THOMAS CHANCE IN SUPPORT OF SB 499: [EXHIBIT J]

WRITTEN TESTIMONY OF SARA CHAMBERS-MOSS IN SUPPORT OF SB 499: [EXHIBIT K]

WRITTEN TESTIMONY OF SHIRLEY PEAKE IN SUPPORT OF SB 499: [EXHIBIT L]

WRITTEN TESTIMONY OF ROSLYN HAMILTON IN SUPPORT OF SB 499: [EXHIBIT M]

WRITTEN TESTIMONY OF PAM BRIDGEHOUSE IN SUPPORT OF SB 499: [EXHIBIT N]

WRITTEN TESTIMONY OF THERESA BOSSERMAN IN SUPPORT OF SB 499: [EXHIBIT O]

089 CHAIR BUNN: Closes PUBLIC HEARING on SB 499
Opens PUBLIC HEARING on SB 671

093 STATE SENATOR BILL KENNEMER, Dist. #12: Speaking IN SUPPORT OF SB 671.

107 DR. JOHN MAURER, Jackson Co. Medical Society: Speaking IN SUPPORT OF SB
671.

116 CHAIR BUNN: Closes PUBLIC HEARING on SB 671
Opens PUBLIC HEARING on SB 976

120 GAIL CHAMBERLAIN: Speaking IN SUPPORT OF SB 976. [EXHIBIT P]

134 T.J. DAVIS, Accessabilites Specialist, Oregon Disabilities Commission:
Speaking IN SUPPORT OF SB 976.

WRITTEN TESTIMONY OF EUGENE ORGAN (OREGON DISABILITIES COMMISSION) IN
SUPPORT OF SB 976: [EXHIBIT Q]

147 CHAIR BUNN: Closes PUBLIC HEARING on SB 976
Opens PUBLIC HEARING on SB 1126

163 LYNDIA HARRINGTON, Executive Director, Oregon Right to Life: Outlines the
bill at the request of the Chair.

217 CHAIR BUNN: Announces procedure for testimony/calls next witnesses.

237 EVELYN PETTY, Director of Services, Portland Area Crisis Pregnancy
Centers: Speaking IN SUPPORT OF SB 1126. [EXHIBIT R]

287 Continuing testimony.

308 CHAIR BUNN: Explains how the committee will handle questions.

313 JENNIFER MYERS: Speaking IN SUPPORT OF SB 1126. [EXHIBIT S]

365 Continuing testimony.

381 LISA LITTLE: Speaking IN SUPPORT OF SB 1126. [EXHIBIT T]

TAPE 68, A

001 LITTLE: Continuing testimony.

019 JEANNE STOLLER: Speaking IN SUPPORT OF SB 1126. [EXHIBIT U]
060 Continuing testimony.
067 CHRISTINA BYRNE: Speaking IN SUPPORT OF SB 1126.
099 DIANE MEYER: Speaking IN SUPPORT OF SB 1126. [EXHIBIT V]
145 JENNIFER EASTBURG, Clinical Social Worker: Speaking IN SUPPORT OF SB
1126.
195 Continuing testimony.
240 GAYLE ATTEBERRY, Oregon Right to Life: Speaking IN SUPPORT OF SB 1126.
277 CHAIR BUNN: Announcements.
301 Calls 10-minute recess.
302 Re-convenes at 4:10 P.M. Opens question/answer period.
320 LEONARD: Question to Evelyn Petty/Lynda Harrington: Section 4, Paragraph
3 of the bill, on page 2, you have a provision that would allow an
attending physician to notify CSD that a child is the victim of some
abuse/neglect, be it sexual or physical. Explain to me exactly how that
process would work, if a child were to go to a physician--what, in your
mind, would occur for that child to invoke that provision?
336 JENNIFER EASTBURG: It's my understanding that any physician is required
by state and federal laws to report it.
350 LEONARD: What kind of investigation would CSD conduct if a child said
that they didn't want a parent to be notified?
358 EASTBURG: I don't know the exact specifications of the investigation,
but primarily they go and do a home visit.
371 LEONARD: You understand that there's another side that is extremely
concerned about this issue that I am addressing, that is children who come
from abusive homes or home where there is alcoholism, or just plain
dysfunctional homes. I think I understand that you had that provision to
address the concern of children coming from abusive homes. It seems to me
that it's almost a meaningless provision, given that the child must report
that there's a problem in the home and CSD then goes to the home.
393 CHAIR BUNN: Addresses Sen. Leonard regarding his comments and
forthcoming amendments that should address his concerns.
TAPE 67, B
480 CHAIR BUNN: Continuing to address Sen. Leonard and Sen. Kennemer.
491 EASTBURG: What's ironic is that if indeed the family situation is that
extreme, it's all that more appropriate that intervention happen. This is
the nature of dysfunctional families--what brings them in is crises, and in
fact by having this law, it could even provide more protection for a child
if indeed the abuse would even intensify.
507 LEONARD: I guess I'm concerned that you've restricted the items that CSD
can intervene with to sexual abuse, neglect, or physical abuse. There are a
number of dysfunctional conditions in families that often do not fall under
those three categories. (Continues response.)

528 EASTBURG: I couldn't agree with you more. I'm not sure whether there's even a difference between what you and I are saying.

531 LEONARD: I thought you were saying that we should have ideals in society and pass laws that reflect those ideals--but if we don't pass laws that reflect the reality and some of the understanding and compassion of some of the dysfunctions in our society, I think we're really hurting that segment of our society.

535 EASTBURG: My understanding is that our laws are based on ideals and reality, and I think this bill is being generated because of the reality of the implications and complications of abortion, and what it means for families in general.

553 KENNEMER: As a therapist, I ask: if we don't make confrontations with these dysfunctional families, what hope do we have that there will be intervention for appropriate change? Under current law, who authorizes minors to have abortions? Are they privileged to sign a release and authorize it? (Woman who didn't identify herself responds that yes, minors can sign release forms themselves at age 15.)

561 KENNEMER: What is the rationale for section 7?

565 DOUG FANDAGREEN, Attorney: In my mind, I would not include section 7. I think that the constitutionality of this particular proposal is several steps back from the constitutional line.

586 KENNEMER: I think it's confusing, and if it's not needed, I would urge its removal.

592 CHAIR BUNN: Announces to audience why Sen. McCoy and Sen. Hannon are not present for this hearing.

WRITTEN TESTIMONY OF GREG TERHUNE IN SUPPORT OF SB 1126: [EXHIBIT W]

605 ALLIE STICKNEY, President, Planned Parenthood affiliates in Oregon: Speaking IN OPPOSITION TO SB 1126. [EXHIBIT X]

655 Continuing testimony.

685 LISA HOROWITZ, Executive Director, Oregon NARAL: Speaking IN OPPOSITION TO SB 1126. [EXHIBIT Y]

735 Continuing testimony.

761 ELIZABETH NEWHALL, ObGyn: Speaking IN OPPOSITION TO SB 1126.

810 Continuing testimony.

860 Continuing testimony.

TAPE 68, B

477 NEWHALL: Continuing testimony.

481 MARK NICHOLS, M.D.: Speaking IN OPPOSITION TO SB 1126. [EXHIBITS Z-1, Z-2]

533 REVEREND EUGENE ROSS: Speaking IN OPPOSITION TO SB 1126. [EXHIBIT AA]

585 Continuing testimony.

602 CHARLOTTE COMITO, Legislative Assistant to State Rep. Margaret Carter:

Speaking IN OPPOSITION TO SB 1126, on behalf of herself and Rep. Carter.
[EXHIBIT BB]

639 CHAIR BUNN: As I listen to the testimony on both sides, predominantly by women, I have thought that the public would be far better served if we had at least one woman on this committee, and I feel that very intensely at this time. I know that the testimony heard here today has been difficult to give, and I appreciate the way in which it has been presented.

653 Opens question/answer period.

663 KENNEMER: Under this law, in seeking to meet the provisions of notification, what would be the time requirement that would delay a possible abortion?

668 ALLIE STICKNEY: My understanding is that there is a 48-hour period required after a physician gives information to the minor, before the abortion can be performed.

674 ELIZABETH NEWHALL: Responds also.

714 LEONARD: If you had a home where a child being raised where there was alcoholism, co-dependency, etc. but no physical abuse, does that, in your opinion, fall into one of the three categories where CSD can intervene?

722 NEWHALL: No, that wouldn't be practical--for CSD to deal with issues like those, they'd practically have to quadruple the department.

726 COMITO: In my case, it was not a case in which CSD would have been able to intervene. It was not a case that would have been called classic abuse, but it was horrible, and the fear was real.

776 KENNEMER: The previous testimony indicated that a number of these teenagers who have abortions do not even have a discussion with the doctor performing the abortion. Is that against practice in Oregon?

781 NEWHALL: Every person has an opportunity to see and talk to the physician. The surgical procedure is very simple and only lasts one minute.

815 CHAIR BUNN: I don't expect anyone who is opposed to the bill to try to handwrite amendments to, in their mind, make the bill better. I want to make that very clear. However, I also want to indicate that as this committee looks at this bill, we invite every person who is interested in any perspective of this bill to give us input and suggestions for amendments. For example, we have heard testimony today that raises concerns

in my mind about the issue of parental notification when there is mental illness involved or alcoholism involved. I think Sen. Leonard has raised some questions on those issues that need to be looked at. I would invite those who are interested in trying to help us as we struggle with this issue, pro and con, to make better legislation regardless of the ultimate outcome. I want to thank everyone for their excellent presentations, on both sides, and for the way in which you handled the hearing. We as a committee very much appreciate that.

838 ART WILKINSON, Committee Administrator: Asks audience to put suggestions for amendments in writing as opposed to calling the office, because the volume of incoming calls is simply too large for the 3 committee staff.

WRITTEN TESTIMONY OF OREGON CHAPTER OF NATIONAL ASSOCIATION OF SOCIAL WORKERS IN OPPOSITION TO SB 1126: [EXHIBIT CC] (Submitter unknown.)

WRITTEN TESTIMONY OF STATE REP. LISA NAITO IN OPPOSITION TO SB 1126:
[EXHIBIT DD]

WRITTEN TESTIMONY OF MARY GRAINEY IN SUPPORT OF SB 1126: [EXHIBIT EE]

WRITTEN TESTIMONY OF PATRICIA DE GARMO IN OPPOSITION TO SB 1126: [EXHIBIT FF]

850 CHAIR BUNN: Closes PUBLIC HEARING on SB 1126

869 Opens PUBLIC HEARING on SB 492
Gives brief testimony on the bill.

875 Closes PUBLIC HEARING on SB 492

879 Opens PUBLIC HEARING on SB 715

TAPE 69, A

002 KATHRYN WEIT, Oregon Developmental Disabilities Council: Speaking IN
SUPPORT OF SB 715. [EXHIBIT GG]

019 WILKINSON: Addresses Chair Bunn: We try to build consensus, and in the
last two days, I've received several calls that indicate that there is not
consensus on this bill, some of which were from people that belong to some
of the same organizations that had this bill introduced. I think you should

probably spend some time trying to work with those groups and build some
level of consensus.

024 WEIT: I would like to address that. I believe that what is being
discussed is an issue of methodology. AutiSM is an incredibly complex
disability and there are many people within the same organizations that
disagree on methodology. It is my understanding that the individuals have
not understood that this is an issue of systems, not methodology.

029 CHAIR BUNN: It would be my hope that we attempt to develop a way to do
this without legislation, if that's possible, although we have kept the
bill alive to encourage that process and use it as a backup if necessary.

032 Closes PUBLIC HEARING on SB 715
Re-opens PUBLIC HEARING on SB 739

037 FRANCINE BLOSA, Physician's Assistant: Speaking IN SUPPORT OF SB 739.

WRITTEN TESTIMONY OF DAVE JONES (OREGON SOCIETY OF PHYSICIAN'S ASSISTANTS)
IN SUPPORT OF SB 739: [EXHIBIT HH] (Submitter unknown.)

WRITTEN TESTIMONY OF BRUCE CARLSON (GILLIAM COUNTY MEDICAL CENTER) IN
SUPPORT OF SB 739: [EXHIBIT II]

WRITTEN TESTIMONY OF RANDALL FORSCH (VALLEY FAMILY HEALTH CARE) IN SUPPORT
OF SB 739: [EXHIBIT JJ]

WRITTEN TESTIMONY OF OREGON STATE BOARD OF MEDICAL EXAMINERS IN SUPPORT OF
SB 739: [EXHIBIT KK] (Submitter unknown.)

064 CHAIR BUNN: Closes PUBLIC HEARING on SB 739
Opens PUBLIC HEARING on SB 746

068 KENNEMER: Addresses Chair Bunn re: liabilities involved with SB 739.

072 MARK DRAKE, representing City of Portland, Bureau of Fire, Rescue and
Emergency Services: Speaking IN SUPPORT OF SB 746.

095 CHAIR BUNN: Closes PUBLIC HEARING on SB 746
Opens PUBLIC HEARING on SB 818

098 DELL ISHAM, representing Oregon Association of Naturopathic Physicians:
Speaking IN SUPPORT OF SB 818.

103 DR. DON WALKER: Speaking IN SUPPORT OF SB 818. [EXHIBITS LL-1, LL-2]

118 CHAIR BUNN: Closes PUBLIC HEARING on SB 818
Opens PUBLIC HEARING on SB 849

121 ART WILKINSON: Sen. Trow introduced this bill for three groups of seniors. It simply declares that there is a state policy in Oregon that seniors be provided some medication management education. It sets up the methods and procedures for doing that.

127 CHAIR BUNN: Closes PUBLIC HEARING on SB 849
Opens PUBLIC HEARING on SB 977

131 SUSAN DIETSCH, Senior and Disabled Services Division: Speaking IN SUPPORT OF SB 977. [EXHIBIT MM]

WRITTEN TESTIMONY OF PHYLLIS RAND (GOVERNOR'S COMMISSION ON SENIOR SERVICES) IN SUPPORT OF SB 977: [EXHIBIT NN]

WRITTEN TESTIMONY OF JACQUELINE ZIMMER (OREGON ASSOCIATION OF AREA AGENCIES ON AGING) IN SUPPORT OF SB 977: [EXHIBIT OO]

144 CHAIR BUNN: Closes PUBLIC HEARING on SB 977
Opens PUBLIC HEARING on SB 1063

148 CHAIR BUNN: We will have the amendments entered in the record, at the request of Sen. Leonard. (See exhibit QQ)

149 PAT WEST, representing Oregon State Firefighters Council: Speaking IN SUPPORT OF SB 1063.

162 LEONARD: Briefly outlines SB 1063 for the committee.

WRITTEN TESTIMONY OF DR. DAVID FLEMING (STATE EPIDEMIOLOGIST, OREGON HEALTH DIVISION) IN OPPOSITION TO Section 3, subsection (4) of SB 1063: [EXHIBIT PP]

-1 AMENDMENTS TO SB 1063: [EXHIBIT QQ]

169 CHAIR BUNN: Closes PUBLIC HEARING on SB 1063
Re-opens PUBLIC HEARING on SB 715
Submits testimony for the record (see exhibit WW)

174 Closes PUBLIC HEARING on SB 715

Further testimony to be submitted for the record:

-3 AMENDMENTS TO SB 671: [EXHIBIT RR]

WRITTEN TESTIMONY OF DR. JOHN MAURER (JACKSON COUNTY MEDICAL SOCIETY) IN SUPPORT OF SB 671: [EXHIBITS SS, TT]

WRITTEN TESTIMONY OF SCOTT BURMAN IN SUPPORT OF SB 671: [EXHIBIT UU]

WRITTEN TESTIMONY OF F. NICHOLAS WILLARD (AARP PHARMACY SERVICE) IN SUPPORT OF SB 492 with proposed amendments: [EXHIBIT VV]

WRITTEN TESTIMONY OF LAURIE STUEBING, ET. AL., IN SUPPORT OF SB 715: [EXHIBIT WW]

177 CHAIR BUNN: Adjourns the hearing at 5:25 P.M.

Submitted by, Reviewed by,

Mary Gallagher Art Wilkinson
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - Written Testimony on SB 499--John Green--2 pages
B - Written Testimony on SB 499--Paul Dart--2 pages
C - Written Testimony on SB 499--Paul Dart--2 pages
D - Article relating to SB 499--Paul Dart--7 pages
E - Written Testimony on SB 499--Jon Potts--1 page
F - Written Testimony/Report relating to SB 499--Dr. John Gambee--13 pages
G - Written Testimony on SB 499--Jennifer Christiansen--2 pages
H - Written Testimony on SB 499--Elizabeth Hahn--2 pages
I - Written Testimony on SB 499--Marylou Belknap-Jones--1 page
J - Written Testimony on SB 499--Thomas Chance--1 page
K - Written Testimony on SB 499--Sara Chambers-Moss--2 pages
L - Written Testimony on SB 499--Shirley Peake--3 pages
M - Written Testimony on SB 499--Roslyn Hamilton--2 pages
N - Written Testimony on SB 499--Pam Bridgehouse--3 pages
O - Written Testimony on SB 499--Theresa Bosserman--3 pages
P - Written Testimony on SB 976--Gail Chamberlain--1 page
Q - Written Testimony on SB 976--Eugene Organ--2 pages
R - Written Testimony on SB 1126--Evelyn Petty--2 pages
S - Written Testimony on SB 1126--Jennifer Meyers--3 pages
T - Written Testimony on SB 1126--Lisa Little--2 pages
U - Written Testimony on SB 1126--Jeanne Stoller--2 pages
V - Written Testimony on SB 1126--Diane Meyer--4 pages
W - Written Testimony on SB 1126--Greg Terhune--1 page
X - Written Testimony on SB 1126--Allie Stickney--3 pages
Y - Written Testimony on SB 1126--Lisa Horowitz--2 pages
Z-1 Written Testimony on SB 1126--Mark Nichols--2 pages
Z-2 Written Testimony of Scott Gallant, OMA, on SB 1126--Mark Nichols--2
pages
AA - Written Testimony on SB 1126--Reverend Eugene Ross--4 pages
BB - Written Testimony on SB 1126--Charlotte Comito--2 pages
CC - Written Testimony of NASW on SB 1126--Submitter unknown--1 page
DD - Written Testimony on SB 1126--State Rep. Lisa Naito--1 page
EE - Written Testimony on SB 1126--Mary Grainey--4 pages
FF - Written Testimony on SB 1126--Patricia de Garmo--3 pages
GG - Written Testimony on SB 715--Kathryn Weit--2 pages
HH - Written Testimony on SB 739--Dave Jones--2 pages
II - Written Testimony on SB 739--Dr. Bruce Carlson--1 page
JJ - Written Testimony on SB 739--Randall Forsch--1 page
KK - Written Testimony of Oregon State Board of Medical Examiners on SB
739--Submitter unknown--1 page
LL-1 Written Testimony on SB 818--Dr. Don Walker--4 pages
LL-2 Written Testimony of other doctors on SB 818--Dr. Don Walker--4 pages
MM - Written Testimony on SB 977--Susan Dietsche--4 pages
NN - Written Testimony on SB 977--Phyllis Rand--2 pages
OO - Written Testimony on SB 977--Jacqueline Zimmer--1 page
PP - Written Testimony on SB 1063--Dr. David Fleming--3 pages
QQ - -1 Amendments to SB 1063--State Sen. Randy Leonard--4 pages
RR - -3 Amendments to SB 671--State Sen. Bill Kennemer--3 pages
SS - Written Testimony on SB 671--Dr. John Maurer--2 pages
TT - Written Testimony on SB 671--Dr. John Maurer--1 page
UU - Written Testimony on SB 671--Scott Burman--38 pages
VV - Written Testimony on SB 492--F. Nicholas Willard--1 page
WW - Written Testimony on SB 715--Laurie Stuebing, et. al.--3 pages