

SENATE COMMITTEE ON HEALTH CARE AND BIO-ETHICS

April 1, 1993      Hearing Room C 3:00 p.m.      Tapes 38 - 41

MEMBERS PRESENT:    Senator Bob Shoemaker, Chair Senator Jeannette Hamby,  
Vice Chair Senator Joyce Cohen Senator Bill McCoy Senator Gordon Smith

STAFF PRESENT:            Barbara Coombs, Administrator Dick Shoemaker,  
Administrator/Assistant Joan Green, Assistant

MEASURES HEARD:    SB 664 relating to certain exemptions from  
radiologic technologists licensing requirement, INF SB 800 relating to a  
satellite training program for

physician assistants; appropriating money; declaring

an emergency, INF SB 538 relating to clinical laboratory science  
practitioners; appropriating money, PH

WITNESSES:            Joyce Cohen, District 13, Oregon State Senator  
Karen Whitaker, Office of Rural Health Joyce Matthys, Oregon Board of  
Radiologic Technology Ian Timm, Oregon Primary Care Association  
Catherine Otto, Association for Oregon Medical

Technology Steve Merrill, Citizen Charlene Houtz, Citizen Margaret  
Berroth, M.D., Citizen Sandra Savage, Citizen Karen Brzys, Alliance for  
Responsible Testing Dana R. Gray, PA, CP, Oregon Society of Physician

Assistants Jim Allison, Oregon Society of Physician Assistants Bing  
Wong, American Federation of State, County,

Municipal Employees Bob Woolsey, Citizen Jim Carlson, Oregon Medical  
Association Jennifer Campbell, Legislative Aide, Sen. Joyce Cohen Ed  
Patterson, Oregon Association of Hospitals Bill RailSB ack, Oregon  
Association of Hospitals Lee Poe, Citizen David Taylor, Oregon  
Society of Radiological

Technology Jeff Butler, M.D., Oregon Rural Health Association Stan  
Ferguson, Physicians Assistant Francene Boullosa, PA, Oregon Society of  
Physicians

Assistants Jeff Melnick, Physician Assistant Larry Large, Higher  
Education, Oregon Health Sciences University Lois Davis, Oregon Health  
Sciences University Ruth Ballweg, Medex NW Susan King, Oregon Nurses  
Association Keith Long, Physician Assistant Matt Lang, Citizen Richard  
Arkless, MD, Oregon Board of Radiologic

Technology

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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. [--- Unable To Translate

Graphic ---]

TAPE 16, SIDE A

006 Chair Shoemaker: Meeting called to order at 3:10 p.m.

INFORMATIONAL HEARING

SB 800 RELATING TO A SATELLITE TRAINING PROGRAM FOR PHYSICIAN ASSISTANTS; APPROPRIATING MONEY; DECLARING AN EMERGENCY

Distributes fiscal impact statement, Exhibit A.

010 Francene Boullosa, PA, Oregon Society of Physicians Assistants: Speaks in support of the bill, Exhibit F. Enters two letters for the record,

Exhibit H.

099 Sen. Smith: The lottery might be a good funding source for this.

105 Boullosa: Responds.

124 Ruth Ballweg, Medex NW: Speaks in support of the bill.

142 Karen Whitaker, Office of Rural Health: Speaks to the bill, Exhibit B.

172 Chair Shoemaker: What do you define as urban areas of the State?

173 Whitaker: Responds.

183 Chair Shoemaker: There are 91 additional physicians?

188 Whitaker: Responds. Continues with testimony, Exhibit B.

288 Chair Shoemaker: Would that be a one-time expenditure?

289 Whitaker: Responds. Continues with testimony, Exhibit B.

313 Sen. Hamby: Did you say only \$170,000 for start-up?

315 Whitaker: Responds. 317 Sen. Hamby: This is a satellite out of Medex?

319 Whitaker: Responds.

339 Sen. Hamby: What might the contributing tuition cost for each of the ten be?

342 Whitaker: Responds.

344 Sen. Hamby: I know the proposal is to raise tuition for medical school. What dollar factor is that?

350 Whitaker: Responds.

360 Sen. Hamby: The Governor's minimum budget is proposing to cut how many nursing slots?

362 Whitaker: Responds.

366 Ian Timm, Oregon Primary Care Association: Speaks to the bill, Exhibit C.

435 Jeff Butler, M.D., Oregon Rural Health Association: Speaks in support of the bill, Exhibit E.

TAPE 39, SIDE A

015 Butler: Continues with testimony, Exhibit E.

031 Stan Ferguson, Physicians Assistant: Speaks in support of the bill, Exhibit D.

045 Chair Shoemaker: How long does that training take?

046 Ferguson: Responds.

048 Chair Shoemaker: Is that both the didactic and clinical parts?

049 Ferguson: Responds.

051 Chair Shoemaker: What is the typical level of prior education?

054 Ferguson: Responds.

055 Chair Shoemaker: There is no level of formal college or baccalaureate degree?

056 Ferguson: Responds.

059 Chair Shoemaker: That would be the last two years of a bachelors program?

060 Ferguson: Responds. Continues with testimony, Exhibit D.

107 Sen. Hamby: Is there a range of salaries for physician assistants (PA's)? 108 Ferguson: Responds.

109 Sen. Hamby: Do you know the range for nurse practitioners?

117 Ferguson: Responds.

122 Jeff Melnick, Physicians Assistant: Speaks in support of the bill.

163 Sen. Hamby: Why did you go into a Masters program at Willamette University?

167 Melnick: Responds.

179 Sen. Hamby: A rural area was not attractive to you?

180 Melnick: Responds.

182 Sen. Hamby: Did you conduct any job search in rural areas?

183 Melnick: Responds.

188 Larry Large, Higher Education, Oregon Health Sciences University: Speaks to the bill.

196 Chair Shoemaker: The appropriation would still be to the system?

198 Large: Responds. Continues with testimony.

217 Chair Shoemaker: The \$170,000 is a one time start-up cost. Thereafter, from our perspective, it is self-supporting. I assume that the same

chemistry is not true in nurses practice. That would not affect your decision?

222 Large: Responds.

235 Sen. Cohen: Where would you be without the mandated plus?

237 Large: Responds.

240 Chair Shoemaker: Is it appropriate and customary for the Legislature to instruct the State Board of Higher Education to institute a specific

program, as contrasted to appropriating money to the Board of Higher Education based upon its recommendation of how it would use those funds?

242 Large: Responds.

251 Lois Davis, Oregon Health Sciences University: Speaks to the bill.

SB 664 RELATING TO CERTAIN EXEMPTIONS FROM RADIOLOGIC TECHNOLOGISTS LICENSING REQUIREMENT

289 Susan King, Oregon Nurses Association: Speaks in support of the bill, Exhibit G. 349 Dana Gray, Oregon Society of Physician Assistants: Speaks in support of the bill. Submits a letter for the record, Exhibit I.

363 Sen. Cohen: Are the nurse practitioners expecting to have the same requirements apply?

369 King: Responds.

382 Sen. Cohen: Why do you feel your training is better than a P.A.'s training in this area?

392 King: Responds.

393 Gray: Responds.

400 Sen. Cohen: I'm interested in why the nurse practitioners don't feel they would submit to the same kind of questions?

405 King: Responds.

TAPE 38, SIDE B

014 Joyce Matthys, Oregon Board of Radiologic Technology:  
Speaks in opposition to the bill, Exhibit J.

076 Chair Shoemaker: Could you comment on Mr. Gray's testimony,  
that the physician assistants need to pass technical muster with the  
Board of

Medical Examiners?

077 Matthys: Responds.

092 Chair Shoemaker: A license granted by you would amount to a permit  
from the Board of Medical Examiners?

095 Matthys: Responds.

101 Barbara Coombs, Administrator: Would this bill change that?

102 Matthys: Responds.

102 Matt Lang, Citizen: Speaks in opposition to the bill.

154 Richard Arkless, MD, Oregon Board of Radiologic Technology:  
Speaks in opposition to the bill.

190 Jim Allison, Physician Assistant: Speaks in support of the bill.

209 Sen. Cohen: Did you think of putting yourself through a  
training course?

210 Allison: Responds.

242 Chair Shoemaker: Would you have people doing this that don't  
have the training? 243 Allison: Responds.

250 Chair Shoemaker: Are you qualified to do this?

251 Allison: Responds.

259 Sen. Cohen: I'm a graduate of the College of Medical Technology  
and I would need additional training to be qualified to deal with  
patients.

273 Keith Long, Physician Assistant: Speaks in support of the bill,  
Exhibit K.

330 Chair Shoemaker: The point being made is that the skill is in  
taking the film, not in reviewing it.

331 Long: Responds.

332 Chair Shoemaker: Does the Board of Medical Examiners  
provide a sufficient screen?

347 Long: Responds.

360 Sen. Cohen: If you missed the lump by not having it on the  
screen at all, how can the person reading the film tell?

366 Long: Responds.

374 Lee Poe, Citizen: Speaks in opposition to the bill.

TAPE 39, SIDE B

024 David Taylor, Oregon Society of Radiological Technologists:  
Speaks in opposition to the bill, Exhibit L.

PUBLIC HEARING

SB 538 RELATING TO CLINICAL LABORATORY SCIENCE PRACTITIONERS;  
APPROPRIATING MONEY

059 Joyce Cohen, District 13, Oregon State Senator: Speaks in  
support of the bill.

111 Catherine Otto, Association for Oregon Medical Technology:  
Speaks in support of the bill, Exhibit M.

240 Chair Shoemaker: What in the bill protects against the  
incompetence being carried from office to office?

241 Otto: Responds. Continues with testimony, Exhibit M.  
Offers an amendment to the bill, Exhibit O.

TAPE 40, SIDE A

017 Steve Merrill, Citizen: Speaks in support of the bill, Exhibit  
N.

079 Sen. Smith: Are there demonstrable statistics to show a  
reduction in mistakes, and therefore the need for less tests which lead  
to more cost?

089 Merrill: Responds.

105 Otto: Responds.

115 Charlene Houtz, Citizen: Speaks in support of the bill, Exhibit  
P.

150 Jim Carlson, Oregon Medical Association: Speaks in opposition  
to the bill.

163 Sen. Cohen: The comparison of the two are not accurate because  
you are talking about a different process.

175 Carlson: Responds.

177 Sen. Cohen: The personnel standards are lower and don't  
include any upgrading at all.

178 Carlson: Responds.

186 Sen. Cohen: Requests the costs for two additional visits to  
the physician and two additional visits to the laboratory.

190 Carlson: Responds. Continues with testimony.

250 Carlson: Continues with testimony.

331 Ed Patterson, Oregon Association of Hospitals: Speaks in opposition to the bill, Exhibit Q.

TAPE 41, SIDE A

005 Bill RailsB ack, Oregon Association of Hospitals: Speaks in opposition to the bill.

040 Chair Shoemaker: Do you feel the present system has a quality problem?

042 RailsB ack: Responds.

047 Chair Shoemaker: Refers to Mr. Patterson's testimony. Do you insist that people you hire have certification from a qualifying agency?

051 RailsB ack: Responds.

052 Chair Shoemaker: You never hire someone to do lab testing that doesn't have certification?

055 RailsB ack: Responds.

055 Chair Shoemaker: Do you feel your situation is typical of others in the State?

056 RailsB ack: Responds.

064 Chair Shoemaker: CLIA requires that everyone be licensed?

065 RailsB ack: Responds.

071 Margaret Berroth, M.D., Citizen: Speaks in support of the bill, Exhibit S.

183 Sandra Savage, Citizen: Speaks in support of the bill, Exhibit T.

258 Bing Wong, American Federation of State, County, Municipal Employees: Speaks in support of the bill, Exhibit U.

TAPE 40, SIDE B

006 Karen Brzys, Alliance for Responsible Testing: Speaks to the bill. No position taken.

122 Jim Allison, Oregon Society of Physician Assistants: Speaks in opposition to the bill.

166 Dana R. Gray, PA, CP, Oregon Society of Physician Assistants: Speaks in opposition to the bill, Exhibit V.

176 Chair Shoemaker: What is a perfusionist?

177 Gray: Responds. Continues with testimony, Exhibit V.

219 Chair Shoemaker: The bill does have a grandfather provision.

220 Gray: Responds. Continues with testimony, Exhibit V.

298 Keith Long, Physician Assistant: Speaks in opposition to the bill.

309 Chair Shoemaker: Wasn't Sen. Cohen's point that the test was apparently done by an inadequately trained person?

318 Long: Responds. Continues with testimony.

343 Bob Woolsey, Citizen: Speaks in support of the bill.

TAPE 41, SIDE B

027 Woolsey: Continues with testimony.

054 Chair Shoemaker: What I understood you to say is CLIA would cause unqualified personnel to flood into the system. Is that correct and if

so how?

058 Woolsey: Responds.

073 Chair Shoemaker: They can do that now, how will that be changed?

077 Woolsey: Responds.

078 Chair Shoemaker: Is it really a problem?

080 Woolsey: Responds.

089 Barbara Coombs, Administrator: Can you give us an example of that low category of testing? What are the tests in Level I?

090 Woolsey: Responds.

100 Chair Shoemaker: The testimony we heard from rural areas suggests the bill would seriously impact their practice, compared to their present

situation, which from testimony sounds as though it preceded CLIA 88.

Your testimony makes it sound like the present practice has a high quality situation with personnel requirements that everyone has had to meet, and CLIA 88 changes all of that. What am I missing?

117 Woolsey: Responds.

136 Chair Shoemaker: Are they doing the testing that is inappropriate for the level?

137 Woolsey: Responds.

155 Chair Shoemaker: My question still remains, are the people who have been doing that for the past five years unqualified?



161 Woolsey: Responds.

182 Chair Shoemaker: Would the point-of-care exception proposed by the bill's opponents provide an escape valve for the small rural clinics, if they satisfy the Health Division?

191 Woolsey: Responds.

195 Chair Shoemaker: Dr. Long, how do you feel about it with the point-of-care exception and what you have just heard?

200 Long: Responds.

213 Chair Shoemaker: Do you think that the point-of-care exception mechanism, if done intelligently and conscientiously, would provide an

adequate safeguard against the kind of problem you are concerned with?

219 Long: Responds.

220 Chair Shoemaker: It is essentially machine testing?

221 Long: Responds.

227 Chair Shoemaker: Is most of the testing this bill would affect low-tech testing?

232 Long: Responds.

234 Chair Shoemaker: In the areas where tests require a good degree of judgement and skill the rural practitioner would need to find a way to

deal with that, but you would feel that is in the interest of quality care?

239 Long: Responds.

240 Chair Shoemaker: Does it exist by law or by practice?

245 Long: Responds.

247 Chair Shoemaker: It sounds as if this bill might not have much impact on the rural practitioners, for the PA as the principal care-giver.

253 Long: Responds.

Testimony submitted for the record, Mary Botkin, Exhibit R.

Meeting adjourned at 6:45 p.m.

Submitted by:

Reviewed by:

Joan Green  
Administrator

Dick Shoemaker Assistant

EXHIBIT LOG:

A - Fiscal impact statement SB 800 - Staff - 1 page B - Testimony on SB 800 - Whitaker - 53 pages C - Testimony on SB 800 - Timm - 3 pages D - Testimony on SB 800 - Ferguson - 5 pages E - Testimony on SB 800 - Butler - 1 page F - Testimony on SB 800 - Boullosa - 5 pages G - Testimony on SB 664 - King - 2 pages H - Testimony on SB 800 - Boullosa - 3 pages I - Testimony on SB 664 - Diaz - 3 pages J - Testimony on SB 664 - Matthys - 2 pages K - Testimony on SB 664 - Long - 2 pages L - Testimony on SB 664 - Taylor - 1 page M - Testimony on SB 538 - Otto - 79 pages N - Testimony on SB 538 - Merrill - 2 pages O - Testimony on SB 538 - Otto - 1 page P - Testimony on SB 538 - Houtz - 1 page Q - Testimony on SB 538 - Patterson - 4 pages R - Testimony on SB 538 - Botkin - 2 pages S - Testimony on SB 538 - Berroth - 2 pages T - Testimony on SB 538 - Savage - 2 pages U- Testimony on SB 538 - Wong - 2 pages V - Testimony on SB 538 - Gray - 2 pages