

SENATE COMMITTEE ON HEALTH CARE AND BIO-ETHICS

April 22, 1993      Hearing Room C 3:00 p.m.      Tapes 59 - 62

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

EXCUSED:                      Senator Bill McCoy

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

MEASURES HEARD: SB 801 relating to certain health services  
determined by the Health Services Commission, PH SB 664 relating to  
certain exemptions from

radiological technologist licensing requirement, WS SB 683 relating to  
cooperative programs for transplant services, WS SB 756 relating to  
hospital cooperative programs, WS SB 798 relating to the designation of  
pharmaceutical

agents in the practice of optometry, PH Informational hearing on the  
Oregon Health Plan

WITNESSES:    Jean Thorne, Director, Office of Medical  
Assistance Program Lynn Reid, Office of Medical Assistance Programs Dr.  
Scott MacRae, Member, Optometric Formulary

Committee John Ulwelling, Executive Director, Board of Medical

Examiners Dr. Robert Hare, Chairman, Board of Medical Examiners'  
Optometric Formulary Committee Paige Sipes-Metzler, Executive  
Director, Health

Services Commission Pam Patton, Oregon Alliance of Childrens Programs  
Dave Ingerson, Citizen John McCulley, Oregon Psychiatric Association Dr.  
David Pollack, Oregon Psychiatric Association Sandra Millius, Oregon  
Psychiatric Association Dr. Liam Callem, President, Oregon Community  
Mental

Health Provider's Association Kathy Savicki, Licensed Clinical  
Social Worker,

National Association of Social Workers David Steinke, LPC,  
Oregon Counseling

Association/Oregon Mental Health Counselor's

Association Bob King, Association of Oregon Community Mental

Health Program Bob Joondeph, Aged and Disabled Coalition Ann Uhler,  
Alcoholism and Drug Abuse Program Directors Association of Oregon Bev  
Bettis, Advocacy Coalition of Seniors and Persons with Disabilities Lee  
Hazelwood, Governor's Commission on Senior

Services Janice Fiegner, Oregon Association of Area Agencies on Aging  
Vickie Gates, Department of Human Resources Charles Radebaugh, O.D.,

Oregon Optometric Association Andy Aubertine, Assistant Attorney  
General, Oregon

Department of Justice

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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  
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TAPE 59, SIDE A

006 Chair Shoemaker: Meeting called to order at 3:17 p.m.

INFORMATIONAL HEARING

OREGON HEALTH PLAN

022 Jean Thorne, Director, Office of Medical Assistance Program:  
Presents overview of the Oregon Health Plan, Exhibits A and B.

100 Sen. Smith: Could you speak to the 580 procedures being a  
floor and whether this has fundamentally changed the plan?

102 Thorne: Responds. Continues with testimony.

158 Sen. Smith: Would it be a fair comment that it was a flexible  
list, based on Oregonians ability to pay?

159 Chair Shoemaker: Responds.

168 Thorne: Responds.

187 Sen. Smith: Presents a hypothetical scenario, with the final  
scene being that Oregonians still do not agree to tax reform. What do  
we do

then?

197 Thorne: Responds.

207 Chair Shoemaker: Discusses available options.

212 Thorne: Continues with testimony.

250 Chair Shoemaker: How does that participation occur?

254 Thorne: Responds. Continues with testimony. 354 Sen. Smith:  
Do they understand our other priorities; i.e. schools, human  
resource issues, etc.?

360 Thorne: Responds. Continues with testimony, refers to letter,  
Exhibit D.

TAPE 60, SIDE A

Distributes letter from Department of Human Resources, Exhibit E.

020 Thorne: Continues with testimony. Refers to Exhibit B.

098 Chair Shoemaker: It doesn't include aged, blind and disabled does it?

100 Thorne: Responds.

111 Chair Shoemaker: Adding mental health and chemical dependency services increases the monthly per person cost by about \$10. Is there a way to

spread that cost across the entire population?

112 Thorne: Responds.

130 Sen. Cohen: How will these populations be taken into account when you begin the contract negotiations with the managed care organizations?

131 Thorne: Responds.

137 Sen. Cohen: You are actually going to negotiate on a one by one basis as they sign up?

140 Thorne: Responds.

156 Sen. Cohen: So it will be retroactive?

159 Thorne: Responds.

#### PUBLIC HEARING

#### SB 801 RELATING TO CERTAIN HEALTH SERVICES DETERMINED BY THE HEALTH SERVICES COMMISSION

Distributes testimony from Oregon Psychological Association, Exhibit C.

184 Vickie Gates, Department of Human Resources: Speaks to the bill, Exhibit F.

254 Sen. Smith: Are these inclusions that are contemplated in the cost estimates that we have seen or are these additional?

255 Gates: Responds.

257 Chair Shoemaker: Requests she present some background information leading up to this.

266 Gates: Responds.

289 Sen. Smith: Are the chemical dependency services available in the plan an unlimited thing or is there some sort of a cap?

291 Sen. Cohen: Discusses a horizontal window shade rather than a vertical window shade.

313 Gates: Responds.

330 Paige Sipes-Metzler, Executive Director, Health Services  
Commission: Speaks to the bill, Exhibit G.

365 Sen. Smith: At what point does society have the obligation to  
fund or not fund these programs?

381 Sipes-Metzler: Responds.

TAPE 59, SIDE B

004 Sen. Smith: I think we all have the will, but I just don't  
think we have the wallet to go on endlessly in some of these treatment  
programs.

006 Sen. Cohen: Do the actuaries include the expectation that there  
would be a limit on the utilization of mental health and chemical  
dependency

services?

017 Sipes-Metzler: Responds.

033 Chair Shoemaker: Can the managed care organization decide,  
regarding a particular patient, that further treatment is not indicated  
because the patient is not showing an inclination to cooperate in the  
treatment?

036 Sipes-Metzler: Responds.

038 Chair Shoemaker: They could cut them off?

040 Sipes-Metzler: Responds.

059 Dave Ingerson, Citizen: Speaks in support of the bill, Exhibit  
H.

065 Sandra Millius, Oregon Psychiatric Association: Speaks in  
support of the bill, Exhibit J.

094 John McCulley, Oregon Psychiatric Association: Speaks in support  
of the bill.

156 Dr. David Pollack, Oregon Psychiatric Association: Speaks in  
support of the bill

Entered for the record testimony from the Oregon Disabilities  
Commission, Exhibit I.

343 Sen. Cohen: Are there protocols to be put into place and  
overlaid or integrated into the listings?

350 Pollack: Responds.

TAPE 60, SIDE B

007 Sen. Smith: I will not vote for anything that is a bottomless pit  
with public money.

020 Pollack: Responds.

036 Sen. Hamby: Do you see an analogy to methadone for treatment of chemical dependency/drug addiction similar to that of insulin for

diabetes?

038 Pollack: Responds.

046 Sen. Hamby: The standard of practice would recognize all of those pharmaceutical agents, as well as mental health treatment, as well as

synthetic narcotics such as methadone?

048 Pollack: Responds.

056 Sen. Hamby: In that treatment protocol if the client consistently showed a dirty "UA" over an extended period of time what might the

process be?

058 Pollack: Responds.

WORK SESSION

SB 664 RELATING TO CERTAIN EXEMPTIONS FROM RADIOLOGICAL TECHNOLOGIST LICENSING REQUIREMENT

094 Chair Shoemaker: Refers to letters from the Department of Justice, Exhibit K and the Board of Radiologic Technology, Exhibits L and M. I

believe these letters remove the issue of the bill.

SB 683 RELATING TO COOPERATIVE PROGRAMS FOR TRANSPLANT SERVICES/SB 756 RELATING TO HOSPITAL COOPERATIVE PROGRAMS

123 Andy Aubertine, Assistant Attorney General, Oregon Department of Justice: Reviews the memorandum, Exhibit R.

186 Chair Shoemaker: The Hospital Association had proposed merging the two bills. After reflecting upon it and hearing the Attorney General's

opinion it is my opinion that we should not merge the bills. Refers to amendments for SB 683, Exhibit N and SB 756, Exhibit O; both of these reflect the opinion that you were just advised about.

207 MOTION: CHAIR SHOEMAKER MOVED TO ADOPT THE PROPOSED AMENDMENTS TO SB 683, EXHIBIT N.

215 VOTE: HEARING NO OBJECTION, SO ORDERED.

217 MOTION: CHAIR SHOEMAKER MOVED TO ADOPT THE PROPOSED AMENDMENTS TO SB 756, EXHIBIT O.

220 Sen. Cohen: We will have public comment on the proposed

amendments?

222 Chair Shoemaker: Concur.

224 VOTE: HEARING NO OBJECTION, SO ORDERED.

PUBLIC HEARING

SB 801 RELATING TO CERTAIN HEALTH SERVICES DETERMINED BY THE HEALTH SERVICES COMMISSION

262 Pam Patton, Oregon Alliance of Childrens Programs: Speaks in opposition to the bill, Exhibit P.

302 Chair Shoemaker: Why will foster children not be included in the Oregon Health Plan?

305 Patton: Responds.

306 Chair Shoemaker: When the aged, blind and disabled were included foster children were not?

307 Patton: Responds.

358 Chair Shoemaker: Is Jean Thorne's office supportive?

359 Lynn Reid, Office of Medical Assistance Programs: Responds.

385 Patton: Responds.

406 Chair Shoemaker: January of 1994 or 1995?

407 Patton: 1994.

TAPE 61, SIDE A

006 Bob King, Association of Oregon Community Mental Health Program: Speaks in opposition to the bill, Exhibit Q.

045 Chair Shoemaker: Do we need additional legislation for your population?

060 King: Responds.

067 David Steinke, LPC, Oregon Counseling Association/Oregon Mental Health Counselor's Association: Speaks in support of the bill.

084 Dr. Liam Callem, President, Oregon Community Mental Health Provider's Association: Speaks in support of the bill. 117 Kathy Savicki, Licensed Clinical Social Worker, National Association of Social Workers: Speaks in support of the bill.

SB 798 RELATING TO THE DESIGNATION OF PHARMACEUTICAL AGENTS IN THE PRACTICE OF OPTOMETRY

170 Charles Radebaugh, O.D., Oregon Optometric Association: Speaks in support of the bill, Exhibit S.

323 Dr. Robert Hare, Chairman, Board of Medical Examiners' Optometric Formulary Committee: Speaks in opposition to the bill,

Exhibit V.

TAPE 62, SIDE A

024 Sen. Hamby: Refers to the Attorney General's statement on pg. 5, Exhibit V, as a point of interest.

031 Chair Shoemaker: Do you have any recommendations? Do you think this responsibility is appropriately placed in your Board?

037 John Ulwelling, Executive Director, Board of Medical Examiners: Responds.

060 Dr. Scott MacRae, Member, Optometric Formulary Committee: Speaks to the bill.

Testimony submitted for the record from Lesley Walls, Exhibit U and Eric Knutson, Exhibit T.

SB 801 RELATING TO CERTAIN HEALTH SERVICES DETERMINED BY THE HEALTH SERVICES COMMISSION

Continues hearing as a subcommittee.

128 Bob Joondeph, Aged and Disabled Coalition: Speaks in support of the bill, Exhibit W.

189 Chair Shoemaker: Requests an impact statement be obtained.

195 Ann Uhler, Alcoholism and Drug Abuse Program Directors Association of Oregon: Speaks in support of the bill, Exhibit X.

215 Chair Shoemaker: Can those conversations be documented?

218 Uhler: Responds.

223 Bev Bettis, Advocacy Coalition of Seniors and Persons with Disabilities: Speaks in support of the bill, Exhibit Y.

288 Chair Shoemaker: I do not find the documented study referred to by Ms. Uhler. Requests that be provided.

292 Bettis: Continues with testimony, Exhibit Y.

311 Chair Shoemaker: You are referring to the one year gap?

312 Bettis: Responds.

315 Chair Shoemaker: Have you checked with the Oregon Medical Assistance Program?

317 Bettis: Responds.

322 Chair Shoemaker: I would assume that for that population it would continue as it is today; there would be no significant change from the

present delivery system and services.

328 Bettis: Responds. Continues with testimony.

337 Chair Shoemaker: The Health Services Commission is a standing commission.

343 Lee Hazelwood, Governor's Commission on Senior Services: Speaks in support of the bill, Exhibit Z.

405 Janice Fiegner, Oregon Association of Area Agencies on Aging: Speaks in support of the bill.

451 Sen. Smith: Whoever put the limitation there must have thought they had a good reason, what do you think it was?

456 Fiegner: Responds.

464 Chair Shoemaker: You are referring to the Governor's mandated budget?

467 Sen. Smith: No, the twelve visit limitation.

468 Chair Shoemaker: This is for the aged, blind and disabled population; not for mental health services, right?

469 Fiegner: Responds.

475 Jean Thorne, Director, Office of Medical Assistance Program: Responds.

TAPE 61, SIDE B

033 Thorne: Continues with response.

041 Chair Shoemaker: Requests Ms. Thorne's thoughts regarding the requests from the aged, blind and disabled communities.

045 Thorne: Responds.

061 Chair Shoemaker: Do you think any statutory authority is necessary? 062 Thorne: Responds.

065 Chair Shoemaker: Requests that someone from Ms. Thorne's office meet with the appropriate players to reach resolution.

Meeting adjourned at 6:09 p.m.

Submitted by:

Reviewed by:

Joan Green  
Administrator

Dick Shoemaker Assistant

EXHIBIT LOG:

A - Overview presentation - Thorne - 2 pages B - Comparison chart - Thorne - 1 page C - Testimony on SB 801 - Weiner - 4 pages D - Governor's letter - Thorne - 3 pages E - Letter to Concannon - Thorne - 12 pages F - Testimony on SB 801 - Gates - 3 pages G - Testimony on SB

801 - Sipes-Metzler - 1 page H - Testimony on amendments to SB 801 -  
Ingerson - 1 page I - Testimony on SB 801 - Organ - 1 page J -  
Testimony on SB 801 - Millius - 4 pages K - Letter from Department of  
Justice on SB 664 - Mussell - 2 pages L - Letter from Board of  
Radiologic Technology to SB 664 - Bellamy - 1 page M - Letter from  
Board of Radiologic Technology to SB 664 - Matthys - 1 page N -  
Proposed amendments to SB 683 - Staff - 12 pages O - Proposed  
amendments to SB 756 - Staff - 11 pages P - Testimony on SB 801 -  
Patton - 2 pages Q - Memorandum on SB 801 - King - 3 pages R - Legal  
analysis of SB 's 683 and 756 - DOJ - 40 pages S - Testimony on SB 798  
- Radebaugh - 14 pages T - Testimony on SB 798 - Knutson - 7 pages U -  
Testimony on SB 798 - Walls - 4 pages V - Testimony on SB 798 - Hare -  
18 pages W - Testimony on SB 801 - Joondeph - 4 pages X - Testimony on  
SB 801 - Uhler - 2 pages Y - Testimony on SB 801 - Bettis - 1 page Z -  
Testimony on SB 801 - Hazelwood - 2 pages