

SENATE COMMITTEE ON HEALTH CARE AND BIO-ETHICS

May 20, 1993 Hearing Room C 3:00 p.m. Tapes 87 - 89

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

EXCUSED: Senator Joyce Cohen

STAFF PRESENT: Barbara Coombs, Administrator Dick Shoemaker,
Administrator/Assistant Katy Yetter, Clerk

MEASURES HEARD: SB 865 - Relating to the State Board of Pharmacy SB
925 - Relating to the Health Division SB 520 - Relating to the Board of
Medical Examiners HB 3472 - Relating to drugs

WITNESSES: Fred Avera, Oregon District Attorneys
Association Laird Funk, Josephine County Rosanna Creighton, Health
Department Peggy Helman, Health Department Tom Barrows, Oregon Podiatric
Association Russell Poppe, Representing Dr. Errico Jim Gardner,
Pharmaceutical Manufacturing Association Susan Doyle, Pharmaceutical
Manufacturing Association Chuck Gress, Oregon State Pharmacists
Association Kyle Elwood, Oregon State Pharmacists Association

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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 87, SIDE A

006 CHAIR SHOEMAKER: Calls the meeting to order at 3:20 p.m.

WORK SESSION ON SB 865

020 FRED AVERA, OREGON DISTRICT ATTORNEYS ASSOCIATION: Testifies
in opposition to SB 865. -The bill may be a loophole for those who may
want to grow marijuana for non-therapeutic uses. -Section 2 Sub 2 --
Relates to the application for growing marijuana.

The bill may make growing marijuana too accessible.

-No language to control output or quality of plants. Also, it would
still be a felony to grow marijuana in general.

035 CHAIR SHOEMAKER: Comments on the statements made by Avera.
Indicates some areas in the bill that may need some work.

151 SEN. MCCOY: States that the Health Department may not be set
up to provide a marijuana growing service. Also, Sen. McCoy has some

concerns over the lack of language in the bill in reference to the police

organizations.

176 SEN. HAMBY: Asks Avera if he would rather the marijuana come from a pharmacy rather than contraband or self-production.

180 AVERA: Replies that the County has no place in providing marijuana if its medical use is not established.

199 LAIRD FUNK, JOSEPHINE COUNTY: Responds to previous testimony. -Indicates some of the problem areas in the bill and some possible

solutions to these. In addition, the fiscal impact should be minimal. -Comments on the -4 amendments (EXHIBIT A). Is prepared to comment in

detail about law enforcement if it is the will of the Committee.

309 SEN. HAMBY: Asks Laird about a Federal program that deals with registration of marijuana users.

320 FUNK: Replies that some of these programs have disBanded, but there are provisions in some states for therapeutic use.

370 SEN. HAMBY: Submits personal story of individuals she has known who could have benefitted from marijuana use. As such, despite the fact she is opposed to the bill as it is written, she might be willing to pass it if its use could be tightly monitored.

TAPE 88, SIDE A

030 CHAIR SHOEMAKER: States that marijuana does help nausea in chemotherapy, however, THC cannot be taken orally in such a situation.

065 SEN. HAMBY: Asks Funk if he would be opposed to a study of the effects of marijuana for therapeutic use.

067 FUNK: States that he would not have a problem with such a study. -The bill does not question the subject of usefulness; rather, it accepts it as such.

149 ROSANNA CREIGHTON, CITIZENS FOR A DRUG-FREE OREGON: States that there are other ways to get THC into a patient's system aside from smoking

marijuana.

200 SEN. HAMBY: Indicates that she would have no problem moving the bill to Judiciary Committee.

240 MOTION: CHAIR SHOEMAKER: Moves SB 865 to the Judiciary Committee without recommendation. -The Judiciary Committee will have the recommendation of Chair to consider a study on the therapeutic use of

marijuana.

274 VOTE: In a roll call vote, all members present vote AYE with the exception of SEN. G. SMITH who votes NO. SEN. COHEN is

EXCUSED.

279 CHAIR SHOEMAKER: The motion CARRIES.

WORK SESSION ON SB 925

270 BARBARA COOMBS: Reviews SB 925 and the -3 amendments (EXHIBIT B). -Requires Health Division to develop, adopt and implement immunization

registry for children who are born in or move to Clackamas, Multnomah and Washington counties.

320 LORRAINE DUNCAN, IMMUNIZATION PROGRAM MANAGER FOR STATE HEALTH DEPARTMENT: Indicates what types of students are covered by the State

and how the records are kept.

370 PEGGY HELMAN, STATE HEALTH DEPARTMENT: States that registry and access to immunization records is important up to the age of 25. -Reiterates that the records for immunization needs to be broader for

better accessibility.

TAPE 87, SIDE B

013 SEN. HAMBY: States that 25 is too long for the government to track records for individuals who are perfectly capable of maintaining their

own immunization records.

025 HELMAN: States that she believes it would make records tracking easier in general if the state were allowed to keep these records for this

long.

081 SEN. MCCOY: Speaks to the age issue. -Thinks it would be easier to keep age at 25.

120 MOTION: CHAIR SHOEMAKER: Moves to AMEND SB 925. -Page 1 Line 7 delete "child" and insert "person." -Change all ages of 25 to age 18. -Add language relating to an individual having the right to request the purging of their file after the age of 18.

146 SEN. HAMBY: Would like to take the individuals over the age of 18 out of the records system. -What is the purpose of keeping the individual registered after the age of 18?

198 HELMAN: Replies that in the case of an outbreak, it eases the job in finding out who is at risk.

230 DUNCAN: In response to Sen. Hamby, the State, at the request of

the individual, could purge their file.

232 VOTE: In a roll call vote, all members vote AYE.

270 CHAIR SHOEMAKER: The motion CARRIES. All members are present for vote.

300 MOTION: CHAIR SHOEMAKER: Moves to ADOPT the -3 amendments as amended dated 5-20-93. -Technicality Page 3 Line 11 should be Section 8.

312 VOTE: Hearing no objection, the motion CARRIES. All members are present for vote.

314 SEN. HAMBY: Asks if the bill applies to all counties.

321 HELMAN: Replies that the bill would apply statewide. -Would use metabolic screening number, birth certificate number, or

possibly the social security number to identify the client.

WORK SESSION ON SB 520

TAPE 88, SIDE B

030 RUSSELL POPPE, REPRESENTING DR. ERRICO: Testifies that he would like to reschedule the bill for a later date.

070 TOM BARROWS, OREGON PODIATRIC ASSOCIATION: Would also like to revisit bill.

PUBLIC HEARING ON HB 3472

100 CHUCK GRESS, OREGON STATE PHARMACISTS ASSOCIATION: Presents testimony in favor of HB 3472 (EXHIBITS E and F).

140 KYLE ELWOOD, OREGON STATE PHARMACISTS ASSOCIATION: Testifies in favor of HB 3472.

170 SEN. HAMBY: Asks Elwood if he has had to change the form of a medication to benefit the patient.

180 ELWOOD: Replies that this type of action is frowned upon, but he has had to make adjustments on prescriptions.

200 CHAIR SHOEMAKER: Asks the witnesses to define the term "bioequivalent" as indicated in the bill.

317 JIM GARDNER, PHARMACEUTICAL MANUFACTURING ASSOCIATION: Testifies in opposition to HB 3472. 367 SUSAN DOYLE, PHARMACEUTICAL MANUFACTURING ASSOCIATION: Testifies in opposition to HB 3472.

TAPE 89, SIDE A

035 SEN. COHEN: States that there have been problems with generic drugs and would be interested in changing some language before action is taken.

045 MOTION: SEN. HAMBY: Moves to table HB 3472.

050 VOTE: In a roll call vote, all members present vote AYE.

052 CHAIR SHOEMAKER: The motion CARRIES.

060 CHAIR SHOEMAKER: Adjourns the hearing at 5:10 p.m.

Submitted by:

Reviewed by:

Katy Yetter

Dick Shoemaker Clerk Administrator

EXHIBIT LOG:

A - Amendments to SB 865 - Legislative Counsel - 1 page B - Amendments to SB 925 - Legislative Counsel - 5 pages C - Testimony on SB 925 - T. Travis - 2 pages D - Testimony on SB 520 - J. Ulwelling - 2 pages E - Testimony on HB 3472 - C. Gress - 1 page F - Testimony on HB 3472 - C. Gress - 1 page