

SENATE COMMITTEE ON HEALTH CARE AND BIO-ETHICS

June 17, 1993 Hearing Room C 3:00 p.m. Tapes 103 - 104

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: HB 2760 relating to naturopathic physicians, WS HB
3472 relating to generic drugs, WS HJM17 proposing increased funding to
research Chronic Fatigue Immune Dysfunction Syndrome, WS HB 3582
relating to public health, PH/WS

WITNESSES: Jeff Davis, Coalition of Local Health Officials
Mary Lou Hennrick, Coalition of Local Health Officials Jean Thorne,
Oregon Medical Assistance Programs Bruce Bishop, Kaiser Permanente Don
Walker, Naturopathic Physician Hersh Crawford, Office of Medical
Assistance Programs John Powell, Blue Cross Art Kiel, Board of
Naturopathic Physicians Jim Gardner, Pharmaceutical Manufactures
Association Chuck Gress, Executive Director, Oregon State

Pharmacists Association F. Eugene Yates M.D., Professor of Medicine
and

Medical Engineering, University of California at Los

Angeles John Meek, District 5, Oregon State Representative

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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 97, SIDE A

006 Chair Shoemaker: Meeting called to order at 3:27 p.m.

WORK SESSION

HB 2760 RELATING TO NATUROPATHIC PHYSICIANS

009 Art Kiel, Board of Naturopathic Physicians: Reviews the
proposed amendments, Exhibit A. References the HB 2760-3 amendment,
Exhibit B

and the HB 2760-2 amendment, Exhibit C.

064 Chair Shoemaker: If it were service oriented would that change
your feeling at all?

068 Don Walker, Naturopathic Physician: Responds.

079 Chair Shoemaker: Where did the HB 2760-2 amendments come from?

082 Dick Shoemaker, Administrator: Oregon Medical Assistance Programs (OMAP).

089 Hersh Crawford, Office of Medical Assistance Programs: Responds to the proposed amendment, Exhibit A. We have the same concern with the

amendments as we do with the original bill.

099 Chair Shoemaker: If it were limited to the extent that the same services that are reimbursed by you when provided by an allopathic

physician would be reimbursed by you when provided by a naturopathic physician; would you still object for the same reason?

103 Crawford: Responds.

105 Chair Shoemaker: I think the intent of the amendment is to limit it to that category of services. Just because it is provided by a naturopath

shouldn't change that fact.

106 Crawford: Responds.

120 Chair Shoemaker: A claim form should disclose whether it is a chronic or an acute condition.

124 Crawford: Concurs.

126 Sen. Hamby: Both the dash 2 and 3 amendments speak to "other physicians". Are you more comfortable with your recommendation versus

the same level of a general family practice physician?

130 Crawford: Responds.

139 Sen. Hamby: Refers to the language in the proposed amendment, Exhibit A. That would add confusion?

143 Crawford: Responds.

151 MOTION: CHAIR SHOEMAKER MOVED THAT THE PROPOSED AMENDMENTS, EXHIBIT A, BE ADOPTED.

156 Sen. Hamby: Is there good faith from OMAP that if we were to consider the dash 2 or 3 amendments that there would not be continued

discrimination towards naturopath physicians.

159 Chair Shoemaker: Responds. Would OMAP prefer the engrossed bill

to the proposed amendments, Exhibit A? 165 MOTION WITHDRAWN.

166 MOTION: CHAIR SHOEMAKER MOVED HB 2760 TO THE FLOOR WITH A DO
PASS RECOMMENDATION.

169 VOTE: MOTION CARRIED, 3-0. (EXCUSED: SEN. COHEN, SEN.
McCOY).

HJM17 PROPOSING INCREASED FUNDING TO RESEARCH CHRONIC FATIGUE
IMMUNE DYSFUNCTION SYNDROME

183 Barbara Coombs, Administrator: Chronic Fatigue Immune
Dysfunction Syndrome (CFIDS) is not prioritized on the Health Services
Commission's list.

193 Chair Shoemaker: This would fall on line 492 of the priority
list.

197 MOTION: SEN. HAMBY MOVED HJM 17-A TO THE FLOOR WITH A DO
PASS RECOMMENDATION.

198 VOTE: MOTION CARRIED, 3-0. (EXCUSED: SEN. COHEN, SEN.
McCOY).

HB 3472 RELATING TO GENERIC DRUGS

207 Jim Gardner, Pharmaceutical Manufactures Association: Discusses
status of the bill and how to clarify "regulation".

221 Chuck Gress, Executive Director, Oregon State Pharmacists
Association: Concurs with Mr. Gardner's testimony.

236 Sen. Smith: I think both sides have valid points and there ought
to be some way to find the language within the federal standards that
permit

this to happen.

252 F. Eugene Yates M.D., Professor of Medicine and Medical
Engineering, University of California at Los Angeles: Speaks to the
bill, Exhibit E.

410 Sen. Smith: Which of the amendments are closest?

415 Chair Shoemaker: References the HB 3472-A4 amendments, Exhibit
D.

Submitted for the record testimony from Ruth Vandever, Exhibit F.

TAPE 104, SIDE A

PUBLIC HEARING

HB 3582 RELATING TO PUBLIC HEALTH

022 Chair Shoemaker: References the HB 3582-A3 amendments, Exhibit G,
which address a different subject and use the bill as a vehicle. 033
Sen. Hamby: Reviews status of HB 2631. The focus of this amendment,
Exhibit G, would be an effort to identify what works and what doesn't.

055 Chair Shoemaker: Do we have any idea what the total dollar figure is that is going to the counties under the 3% allocation?

060 Sen. Hamby: I have seen the list, but I don't have it with me.

061 Chair Shoemaker: This would be an amendment to ORS 461.546?

064 Sen. Hamby: Conkurs.

066 Chair Shoemaker: Shouldn't a pre-amendment be added to the relating clause of the bill amending that statute?

WORK SESSION

066 MOTION: SEN HAMBY MOVED THAT THE HB 3582-A3 AMENDMENTS BE ADOPTED AND THAT THE RELATING CLAUSE BE AMENDED TO INCLUDE ORS 461.546 AS A

STATUTE THAT WILL BE AMENDED.

068 VOTE: HEARING NO OBJECTION, SO ORDERED.

081 Jeff Davis, Coalition of Local Health Officials: Speaks in support of the bill, Exhibit H.

134 Sen. Hamby: Does OMAP oppose the 1 language?

136 Davis: Responds. Continues with testimony.

156 Sen. Hamby: Refers to ln. 28; "health services" is a relatively broad term. Are we going to assume all kinds of pediatric services there?

158 Davis: Responds.

165 Sen. Hamby: You are mainly talking assessment then?

166 Davis: Conkurs.

174 Sen. Hamby: On pg. 2, ln. 1 "screening services" is addressed. Do public health departments currently do mammographies, etc.?

175 Davis: No.

183 Chair Shoemaker: I believe there are proposed changes to amend 2, (3) of the bill.

188 John Meek, District 5, Oregon State Representative: Speaks in support of the bill.

298 Mary Lou Hennrick, Coalition of Local Health Officials: Speaks in support of the bill and proposed amendment, Exhibit I.

391 Chair Shoemaker: That language would substitute for all of (3) of 2?

393 Hennrick: Conkurs.

401 Chair Shoemaker: Expresses more of a comfort level with that approach. I would like the hearing to proceed within the context of that

amendment.

407 Sen. Smith: On ln. 21 what family planning services are we talking about?

409 Hennrick: Responds.

TAPE 103, SIDE B

013 Sen. Smith: Does it include abortion?

015 Hennrick: Responds.

017 Jean Thorne, Oregon Medical Assistance Programs: Speaks to the bill, Exhibit J.

082 Thorne: Continues with testimony.

144 Sen. Smith: Does the government, as opposed to the market place, regulate health care delivery?

145 Thorne: Responds.

170 Sen. Smith: As the government's role becomes larger I believe this will be a recurring issue every session.

177 Chair Shoemaker: The new (3) presents a problem as we move to managed care as there is not a strong incentive on the part of prepaid plans to provide these kinds of services.

181 Thorne: Responds.

215 Sen. Cohen: Another incentive would come from the public sector that is currently not competing or entering into new contracts.

222 Chair Shoemaker: Refers to 3 and the instruction to OMAP to construct a grievance procedure by 1994; is that not necessary? Could you please

clarify your testimony on that point.

225 Thorne: Responds.

246 Chair Shoemaker: If it were formalized would it impose an additional cost to the agency?

248 Thorne: Responds.

251 Bruce Bishop, Kaiser Permanente: Speaks in opposition to the bill; both in its present form and the proposed amended form.

321 Chair Shoemaker: I think somehow this class of services needs to be provided. In shifting from a fee-for-service system to managed care it

is important that this population does not fall through the cracks.

333 Bishop: Responds.

372 John Powell, Blue Cross: Speaks in opposition to the bill and the proposed amendments.

TAPE 104, SIDE B

007 Chair Shoemaker: We will be looking at the whole public health arena and how it will be handled in a managed care environment during interim.

015 Powell: Responds.

033 Dick Shoemaker, Administrator: Where would the Committee like to go with the bill?

037 Sen. Cohen: I don't like the grievance piece at all.

Meeting adjourned at 4:55 p.m.

Submitted by:

Reviewed by:

Joan Green
Administrator

Dick Shoemaker Assistant

EXHIBIT LOG:

A - Proposed amendments - Kiel - 1 page B - HB 2760-3 amendments - Staff - 1 page C - HB 2760-2 amendments - Staff - 1 page D - HB 3472-A4 amendments - Staff - 3 pages E - Testimony on HB 3472 - Yates - 10 pages F - Testimony on HB 3472 - Vandever - 1 page G - HB 3582-A3 amendments - Staff - 1 page H - Testimony on HB 3582-A - Davis - 1 page I - Proposed amendment to HB 3582-A - Hennrick - 1 page J - Testimony on HB 3582-A - Thorne - 2 pages