

SENATE COMMITTEE ON HEALTH CARE AND BIO-ETHICS

July 23, 1993      Hearing Room E 5:00 p.m.      Tapes 111 - 112

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

EXCUSED:                    Senator Bob Shoemaker, Chair  
Senator William McCoy

VISITING MEMBERS:    Senator Tricia Smith  
Senator Karsten Rasmussen  
Senator Dick Springer  
Senator Brady Adams

STAFF PRESENT:            Barbara Coombs, Administrator  
Dick Shoemaker, Administrator/Assistant  
Jeffrey Boles, Clerk

MEASURES HEARD:        Public Hearing and Possible Work Session on HB 2285.

WITNESSES:    Gary Weeks, Director, Department of Insurance and Finance  
Diane Rosenbaum, Oregon State Industrial Union Council  
Stephen Kafoury, Oregon Remodelers Association  
Chris Davie, State Accident Insurance Fund  
Ed Neiubuurt, Project Director, 24 Hour Program  
Brad Witt, Oregon AFL-CIO  
Frank Biehl, Association of Western Pulp and Paper

Workers Robert Moore, Oregon Trial Lawyers Association/Oregon Workers' Compensation Attorneys

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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 111, SIDE A

006    VICE CHAIR HAMBY: Meeting called to order at 5:28 p.m.

PUBLIC HEARING

HB 2285-A RELATING TO HEALTH CARE

015    GARY WEEKS, Director, Department of Insurance and Finance:  
Speaks in support of HB 2285-A.

050    SEN. G. SMITH: What do you contemplate doing with the employer shield, as it relates to Workers' Compensation?

055    WEEKS: Responds.

065    SEN. RASMUSSEN: Why do you need 1 (2) to preserve something that is already in law?

070 WEEKS: Responds.

075 SEN. RASMUSSEN: If someone is complying with the pilot program, but not providing the indemnity side of the insurance they would then get

bootstrapped into exclusive remedy with this language wouldn't they?

080 WEEKS: Responds.

100 Discussion between Sen. Rasmussen and Gary Weeks as to the mechanisms and how they would interact.

110 SEN. T. SMITH: Requests Mr. Week's review Sen. Rasmussen's concerns before the bill comes before the Labor Committee.

115 WEEKS: Responds.

120 ED NEIUBUURT, PROJECT DIRECTOR, 24 HOUR PROGRAM: Responds.

135 VICE CHAIR HAMBY: Requests that the ORS's on pg. 2, lns. 10-11 be reviewed.

140 WEEKS: Responds.

150 SEN. COHEN: Why wouldn't you want to add to make sure you have the power to require additional reserves needed to provide the indemnity

side or the Workers' Compensation?

155 WEEKS: Responds.

170 SEN. COHEN: Are you clear that they are only covering the health part?

172 WEEKS: Responds.

173 SEN. COHEN: Could you require extra reserves on behalf of Liberty Northwest if they got further into the health care business?

180 NEIUBUURT: Responds.

190 SEN. RASMUSSEN: Refers to pg. 1, ln. 21. What is that language aimed at?

200 WEEKS: Responds.

210 SEN. RASMUSSEN: Could the language be narrowed and put in the statute?

225 NEIUBUURT: Responds.

260 STEPHEN KAFOURY, OREGON REMODELERS ASSOCIATION: Speaks in support of HB 2285-A.

270 BRAD WITT, OREGON AFL-CIO: Speaks in support of HB 2285-A. States concerns about language in the bill.

310 SEN. G. SMITH: It is important that the equation between

workers and employers not be changed as a result of this legislation.

320 SEN. COHEN: I believe he is looking at future concerns and I would hope it would not be addressed with the pilot program.

325 WITT: Responds.

325 FRANK BIEHL, ASSOCIATION OF WESTERN PULP AND PAPER WORKERS: Speaks in support of HB 2285-A.

340 VICE CHAIR HAMBY: Hopefully 5 will provide some feedback with workers being on the advisory committee.

345 BIEHL: Responds.

350 VICE CHAIR HAMBY: Oregonians will not be the only ones watching this pilot project.

360 ROBERT MOORE, OREGON TRIAL LAWYERS ASSOCIATION/OREGON WORKERS' COMPENSATION ATTORNEYS: Speaks in support of HB 2285-A. Submits

testimony from Mr. Wollheim, Exhibit A.

380 SEN. T. SMITH: Are those the dash A3 amendments?

382 VICE CHAIR HAMBY: We would like to address the bill only today, if that is acceptable.

390 SEN. G. SMITH: States opposition to the dash A3 amendments, Exhibit B.

TAPE 112, SIDE A

025 VICE CHAIR HAMBY: Speaks to concerns with the dash 3 amendment and would like to see the amendment withdrawn.

035 SEN. G. SMITH: I would hate to see the amendments jeopardize the bill.

045 DIANE ROSENBAUM, OREGON STATE INDUSTRIAL UNION COUNCIL: Speaks to HB 2285-A.

100 CHRIS DAVIE, STATE ACCIDENT INSURANCE FUND: Echo's Vice Chair Hamby's concerns regarding the dash A3 amendments. WORK SESSION

102 MOTION: VICE CHAIR HAMBY MOVED HB 2285-A BY SUBSEQUENT REFERRAL TO THE LABOR AND GOVERNMENT OPERATIONS COMMITTEE WITH A DO PASS

RECOMMENDATION.

105 VOTE: MOTION CARRIED, 3-0. (EXCUSED: CHAIR SHOEMAKER, SEN. McCOY).

110 VICE CHAIR HAMBY: Adjourns the meeting at 6:00 p.m.

Submitted by:

Reviewed by:

Joan Green  
Administrator

Dick Shoemaker Assistant

EXHIBIT LOG:

A - Testimony on HB 2285 - Wollheim - 10 pages B - HB 2285-A3  
amendments - Staff - 1 page