

SENATE COMMITTEE ON HUMAN RESOURCES

February 22, 1993 Hearing Room B 3:00 p.m. Tapes 12 - 13

MEMBERS PRESENT: Sen. Bill McCoy, Chair Sen. Dick Springer, Vice-Chair  
Sen. Wes Cooley Sen. Grattan Kerans

MEMBER EXCUSED: Sen. Neil Bryant

STAFF PRESENT: Mike Meriwether, Committee Administrator Alyssa  
Valenti, Committee Assistant

MEASURES CONSIDERED: Introduction of Committee Bills Executive  
Appointments SB 95 SB 354

WITNESSES: Suzan D. Turley, LaGrande, OR Gloria M. Roy,  
Grants Pass, OR Howard Kirkwood, Chief of Emergency Medical Services,  
Health Division Larry Blumenstein, Emergency Medical Services

Coordinator, Salem Fire Department Mark Drake, Manager of Care  
Ambulance, Member of

Oregon Ambulance Association Beth Murphy, Client Relations for Community  
Ambulance Junita Kauble, President of Community Ambulance Richard Lazar,  
Attorney for Emergency Medical Service Clients Alec Jensen, Project  
Manager for Tualatin Valley Fire and Rescue Burton Weast, Oregon Fire  
Chiefs and Oregon Fire

District Directors Association Janna Starr, ARC of Oregon Executive  
Director Mary Byrkit, Mental Health Consumers Eva Kutas, Mental Health  
and Developmental Disability Services Division John McCulley, Oregon  
Psychiatric 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 12, SIDE A

006 CHAIR McCOY: Calls the meeting to order at 3:07 p.m. EXECUTIVE  
APPOINTMENTS, COMMISSION FOR WOMEN

008 SUZAN D. TURLEY, LAGRANDE, OR: Provides background  
information and gives statement on why she would like to serve on the  
Commission for

Women.

021 GLORIA M. ROY, GRANTS PASS, OR: Provides background  
information for executive appointment.

035 SUZAN TURLEY: Continues with testimony on what she hopes to accomplish when serving on the Commission for Women.

044 SEN. MCCOY: Do you think that the Commission could survive on its own, without funds from the state.

047 SUSAN TURLEY: No, I don't. I believe that some funding from the state is really mandatory for the Commission to survive.

050 GLORIA ROY: It is very difficult in this day and age to try to do anything without some sort of funding. The people on this Commission

are volunteers, and they are not paid. Without some sort of staff support for the programs, it will seriously jeopardize the effectiveness of the Commission.

056 SEN. KERANS: Refers to other plans for the Commission's future, and asks if they would survive under one umbrella commission, or if it is

imperative that separate entities remain.

065 GLORIA ROY: We need to keep these commissions separate. Each has specific duties, and specific problems. If you start combining them or

eliminating them altogether, you are going to dilute their effectiveness, and their ability to address the needs of these populations.

070 SUZAN TURLEY: I agree. I don't see where the Human Rights Commission Proposal will cut out the other three commissions, but I do believe that we have different types of duties and constituencies. I would really

hate to see that be diluted to the point that we are ineffective.

088 MOTION: SEN. KERANS: Moves to refer the EXECUTIVE APPOINTMENTS

of SUZAN D. TURLEY, and GLORIA M. ROY to the full Senate for CONFIRMATION, EN BLOC, to the Commission for Women.

091 VOTE: SEN. MCCOY: Hearing no objection, the motion CARRIES. SEN. BRYANT IS EXCUSED.

PUBLIC HEARING, SB 95

099 MIKE MERIWETHER, COMMITTEE ADMINISTRATOR: Gives overview of SB 95.

105 SEN. SPRINGER: Thanks the CHAIR for his courtesy of postponing the hearing on SB 95, which was previously scheduled for 2-19-93, due to a

Caucus meeting.

113 MIKE MERIWETHER: Continues with background issues on SB 95.

158 HOWARD KIRKWOOD, CHIEF, EMERGENCY MEDICAL SERVICES, HEALTH DIVISION: Submits and summarizes testimony on EXHIBIT A in FAVOR of SB 95.

223 SEN. KERANS: You would be able to license the company, but if they don't have any certified people, then you would have to shut it down?

230 HOWARD KIRKWOOD: That's correct. Or more likely, would be to require them to get their people certified.

234 SEN. MCCOY: Does the bill indicate how many days you would give them?

236 HOWARD KIRKWOOD: As the bill stands, it would be at the agency's discretion. Our purpose here is not to put people out of business, our

purpose is to get them to comply with the requirements that are placed upon the industry.

241 SEN. MCCOY: Ultimately, if they don't comply, they would be put out of business.

243 HOWARD KIRKWOOD: Continues with testimony on SB 95.

300 SEN. KERANS: Expresses his support for the bill, has questions on section 9, sub 6.

357 SEN. COOLEY: Has question on submitted testimony regarding consumers of ambulance services having no choice in selecting providers of ambulance services - counties designate exclusive territories. Is that some sort

of ordinance, regulation or law?

365 HOWARD KIRKWOOD: ORS Chapter 823 provides that every county develops an ambulance service area plan. One of the components of an ambulance

service area plan is the defining of territory. Those plans are developed by the county, enacted in ordinance, and they are approved by the Health Division.

372 SEN. COOLEY: Would SB 95 interfere with that ability for the county to designate?

373 HOWARD KIRKWOOD: No. The counties, under Chapter 823 are free to enact any requirements on ambulance services they deem appropriate so long as they do not fall below the state-wide minimums.

005 HOWARD KIRKWOOD: Concludes testimony on EXHIBIT A.

016 LARRY BLUMENSTEIN, EMS COORDINATOR SALEM FIRE DEPARTMENT;  
PRESIDENT OF OREGON FIRE MEDICAL ADMINISTRATORS ASSOCIATION: Testifies  
in SUPPORT of SB 95.

037 SEN. SPRINGER: I assume you are speaking on behalf of the  
Portland Firefighters. 039 LARRY BLUMENSTEIN: Yes, they are aware,  
and are in support of this bill.

044 MARK DRAKE, MANAGER OF CARE AMBULANCE; MEMBER OF OREGON  
AMBULANCE ASSOCIATION: Testifies in SUPPORT of SB 95.

097 BETH MURPHY, CLIENT RELATIONS FOR COMMUNITY AMBULANCE:  
Submits and summarizes testimony on EXHIBIT B in OPPOSITION to SB 95.  
Suggested revisions to SB 95: - On page 4, line 41, decrease amount to  
300,000 - On page 1, line 30, rewrite definition of ambulance

164 JUNITA KAUBLE, PRESIDENT OF COMMUNITY AMBULANCE:  
Testifies in OPPOSITION to SB 95.

210 SEN. KERANS: If the definition was broadened, and with  
some specification of who was going to be licensed, and what it takes to  
get and maintain a license, and with further clarifications about the  
civil penalties, you would be in support of the bill?

215 JUNITA KAUBLE: Correct.

216 SEN. COOLEY: Asks for clarification on emergency transport  
services.

230 JUNITA KAUBLE: Responds and continues with testimony.

330 JUNITA KAUBLE: Continues to respond to questions regarding  
transport services.

390 JUNITA KAUBLE: Concludes testimony in OPPOSITION to SB 95.

TAPE 12, SIDE B

009 RICHARD LAZAR, ATTORNEY FOR EMERGENCY MEDICAL SERVICES  
CLIENTS: Testifies in SUPPORT of SB 95.

091 ALEC JENSEN, PROJECT MANAGER FOR TUALATIN VALLEY FIRE AND  
RESCUE: Testifies in SUPPORT of SB 95.

098 BURTON WEAST, OREGON FIRE CHIEFS ASSOCIATION AND OREGON FIRE  
DISTRICT DIRECTORS ASSOCIATION: Testifies in SUPPORT of SB 95. - Very  
opposed to changing the language of the fines. - Recommends not to  
expand the language to include stretcher cars.

154 SEN. KERANS: What is an ambulance service?

166 HOWARD KIRKWOOD: Refers to the definition from page 2 of SB 95.

193 SEN. KERANS: Question on the intent of using fines for  
compliance.

205 HOWARD KIRKWOOD: In my experience, compliance is about 85 percent voluntary. We are not looking at a huge regulatory or enforcement

program. After all of the negotiating and working with people is done, we just want that availability of a "large hammer" if such should be necessary.

223 RICHARD LAZAR: Concludes testimony on SB 95.

PUBLIC HEARING, SB 354

263 MIKE MERIWETHER, COMMITTEE ADMINISTRATOR: Gives overview of SB 354.

290 JANNA STARR, ARC OF OREGON EXECUTIVE DIRECTOR: Submits and summarizes testimony on EXHIBIT C in SUPPORT of SB 354.

320 MARY BYRKIT, MENTAL HEALTH CONSUMERS: Submits and summarizes testimony from EXHIBIT D in SUPPORT of SB 354.

339 EVA KUTAS, MANAGER OF OFFICE OF CLIENT RIGHTS, MHDDSD, DHR: Submits and summarizes testimony on EXHIBIT E in SUPPORT of SB 354.

362 SEN. KERANS: Asks what the present rights are of guardians and representatives.

372 EVA KUTAS: It would depend on where you lived (i.e. state hospitals, foster care, etc.)

382 SEN. KERANS: In SB 354, do we require notice or informed consent of the person?

384 EVA KUTAS: Yes. The right is also extended to the guardian or representative (page 2, line 30).

390 SEN. KERANS: Wants to make sure that the people who will follow the Bill of Rights, the service providers, would know that they have an

obligation to provide the guardian or representative with that information.

395 EVA KUTAS: That would be a friendly amendment.

TAPE 13, SIDE B

007 SEN. COOLEY: Presently, what happens if you don't have the privilege of having a guardian or relative?

018 MARY BYRKIT: Responds.

043 JOHN MCCULLEY, OREGON PSYCHIATRIC ASSOCIATION: Testifies in OPPOSITION to SB 354: Not a strong opposition, but has some concerns with the

bill.

WORK SESSION, SB 354

089 MOTION: SEN. KERANS: Moves to conceptually amend page 22, line 16, sub paragraph N to include notification of both the individual and guardian or designated representative.

108 VOTE: CHAIR MCCOY: Hearing no objections, it is so ordered.

109 MOTION: SEN. KERANS: Moves SB 354 as AMENDED to the Floor with a DO PASS recommendation.

111 VOTE: In a roll call vote all members present vote AYE. SEN. BRYANT IS EXCUSED.

116 CHAIR MCCOY: The motion CARRIES.

INTRODUCTION OF BILLS

121 MOTION: SEN. SPRINGER: Moves the committee introduce LC 2183, LC 2223, LC 2224, LC 2225.

125 VOTE: CHAIR MCCOY: Hearing no objection, the motion CARRIES. SEN. BRYANT IS EXCUSED.

CHAIR MCCOY ADJOURNS MEETING AT 4:31 p.m.

EXHIBIT LOG:

A - Testimony on SB 95 - Howard Kirkwood - 8 pages B - Testimony on SB 95 - Beth Murphy - 2 pages C - Testimony on SB 354 - Janna Starr - 1 page D - Testimony on SB 354 - Mary Byrkit - 1 page E - Testimony on SB 354 - Eva Kutas - 1 page F - Testimony on SB 354 - Bob Joondeph - 1 page

Submitted by:

Reviewed by:

Alyssa Valenti  
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