

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

April 19, 1993      Hearing Room B 8:00 A.M.      Tapes 95 - 97

MEMBERS PRESENT:    Senator Tricia Smith, Chair Senator Karsten Rasmussen,  
Vice Chair Senator Brady Adams Senator Wes Cooley Senator Dick Springer

STAFF PRESENT:            Joan Van Almen, Committee Counsel Stephanie  
Holmes, Committee Research Pamela Stefani, Committee Clerk

MEASURES CONSIDERED:            SB 381 - Relating to industrial injuries  
SB 383 - Relating to employer or insurer compensation SB 384 - Related  
to temporary disability benefits SB 385 - Relating to chiropractic  
physicians

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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 95, SIDE A

006      CHAIR SMITH: Calls meeting to order at 8:30 a.m.

PUBLIC HEARING ON SB 381

WITNESSES:            Brad Witt, OAFI-CIO Diane Rosenbaum, OAFI-CIO Randy  
Moser, Oregon Self Insurers Association Robert Wollheim, Oregon Workers  
Compensation Chris Davie, SAIF Corporation Jim Carlson, Oregon Medical  
Association (OMA)

011      JOAN VAN ALMEN, COUNSEL: Gives overview of SB 381.

060      DIANE ROSENBAUM, OAFI-CIO: Testifies in support of SB 381.

110      BRAT WITT, OAFI-CIO: Testifies in support of SB 381.

144      SEN. RASMUSSEN: Asks if information obtained by the insurance  
carrier is shared with the employer.

153      ROSENBAUM: Replies that the information is shared when there  
exists a self-insured employer. 163      RASMUSSEN: Asks Rosenbaum who  
decides what is relevant information in terms of medical disputes.

178      ROSENBAUM: Replies the medical director would have to mediate a  
dispute and decide relevancy.

210      SEN. COOLEY: Asks Witt why the AFL-CIO would have an  
objection to finding out that a worker has a drug addiction.

228      WITT: Responds by stating that under the current statute,  
drug rehabilitation information is simply not given.

274 RANDY MOSER, OREGON SELF INSURERS ASSOCIATION: Testifies in opposition of SB 381.

330 CHAIR SMITH: Asks Moser about the potential difficulty of asking an employee to sign a release of information document.

331 MOSER: Responds by stating employee and physician not always willing to cooperate.

360 RASMUSSEN: States in compensation cases, there may not be legal discovery issues.

TAPE 96, SIDE A

006 ADAMS: Asks Moser how a balance could be reached in terms of releasing information.

010 MOSER: Responds by indicating some disclosure tactics.

050 ROBERT WOLLHEIM, OREGON WORKERS COMPENSATION: Submits and summarizes written testimony in support of SB 381. (EXHIBIT A & B).

145 CHAIR: Comments on the intent of SB 381.

170 VAN ALMEN: If the Department of Insurance and Finance (DIF) were required by statute to create a form that every insurer had to use,

would that help the situation?

180 WOLLHEIM: Responds by stating it would help, but would not solve the problem.

200 CHRIS DAVIE, SAIF: Submits & summarizes written testimony in opposition of SB 381. - Answers questions.

325 LARRY NICEWINGER, DIF MEDICAL COORDINATOR: Gives testimony on conflict with a revision at Statute 265 (ORS 656.252).

WORK SESSION ON SB 381

TAPE 95, SIDE B

020 MOTION: CHAIR SMITH: Moves to ADOPT CONCEPTUAL AMENDMENTS to SB 381.

123 RASMUSSEN: Proposes conceptual amendments to SB 381 (EXHIBIT C).

030 JIM CARLSON, OMA: Submits and summarizes written testimony in support of SB 381 (EXHIBIT D).

100 VOTE: CHAIR SMITH: Hearing no objection, the motion CARRIES. All members are present.

MOTION: SEN. RASMUSSEN: Moves SB 381 AS AMENDED to the Floor with a

DO PASS recommendation.

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

CHAIR SMITH: The motion CARRIES.

SEN. RASMUSSEN will lead discussion on the Floor.

PUBLIC HEARING ON SB 383

WITNESSES: Brad Witt, CIO Diane Rosenbaum, OAFI - CIO Ross Dwinell, Oregon Self Insurers Association Robert Wollheim, Oregon Workers' Compensation Chris Davie, SAIF

122 DIANE ROSENBAUM, OAFI - CIO: Testifies in support of SB 383.

201 BRAD WITT, CIO: Testifies in support of SB 383.

270 ROSS DWINELL, OREGON SELF INSURERS ASSOCIATION: Testifies in opposition of SB 383.

330 ROBERT WOLLHEIM, OREGON WORKERS' COMPENSATION: Testifies in support of SB 383.

399 CHRIS DAVIE, SAIF: Submits & summarizes testimony ins opposition of SB 383 (EXHIBIT E).

TAPE 96, SIDE B

006 DAVIE: Continues with testimony. - Answers questions about DIF'S handling of claims.

PUBLIC HEARING ON SB 384

WITNESSES: Brad Witt, CIO Frank Beihl, Association of Western Pulp and Paperworkers Randy Moser, Oregon Self Insurers Association Robert Wollheim, Oregon Workers' Compensation

140 BRAD WITT, CIO: Testifies in support of SB 384.

155 FRANK BEIHL, ASSOCIATION OF WESTERN PULP AND PAPERWORKERS: Testifies in support of SB 384.

200 RANDY MOSER, OREGON SELF INSURERS ASSOC.: Testifies in opposition of SB 384.

275 ROBERT WOLLHEIM, OREGON WORKERS COMPENSATION: Testifies in support of SB 384. Refers to statute 658.268 sub 3,sub C.

PUBLIC HEARING ON SB 385

WITNESSES: Chuck Bennett, Chiropractors Association Katherine Gallign, D.C. Ross Dwinell, Oregon Self Insurers Association

325 CHUCK BENNETT, CHIROPRACTORS ASSOC OF OREGON: Submits & summarizes in support of SB 385 with proposed amendments. (EXHIBIT F).

TAPE 97, SIDE A

006 BENNETT: Continues with testimony.

027 KATHERINE GALLIGN, D.C.: Testifies in support of SB 385.

065 ROSS DWINELL, OREGON SELF INSURERS ASSOCIATION: Testifies in support of SB 385.

085 CHRIS DAVIE, SAIF: Submits and testifies in support of SB 385 (EXHIBIT G).

WORK SESSION ON SB 385

135 MOTION: CHAIR SMITH: Moves -1 amendments to SB 385 with the following modifications: -On Line 4, replace "extended" with "modified" and delete "either on a case by case basis or" -Page 5 Line 15 insert period after "internal medicine

practitioner" and delete "or a chiropractic practitioner"

VOTE: CHAIR SMITH: Hearing no objection, the motion CARRIES. All members are present.

MOTION: CHAIR SMITH: Moves SB 385 AS AMENDED to the Floor with a DO PASS recommendation.

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

CHAIR SMITH: The motion CARRIES.

SEN. SPRINGER will lead discussion on the Floor.

WORK SESSION ON SB 384

170 MOTION: CHAIR SMITH: Moves SB 384 to Floor with a DO PASS recommendation.

VOTE: In a roll call vote the motion CARRIES. SEN. COOLEY votes NO.

CHAIR SMITH will lead discussion on the Floor.

WORK SESSION ON SB 383

180 MOTION: CHAIR SMITH: Moves SB 383 to the Floor with a DO PASS recommendation.

181 SEN. RASMUSSEN: Objects to motion.

185 MOTION: CHAIR SMITH: Moves to withdraw previous motion at the request of the Committee.

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

185 CHAIR SMITH: Adjourns meeting at 10:15 a.m.

Submitted by:

Reviewed by:

Katy Yetter  
Committee Coordinator

Stasi Kitchen Committee Assistant

EXHIBIT LOG:

A - Testimony on SB 381 - R. Wollheim - 6 pages B - Testimony on SB  
381 - R. Wollheim - 2 pages C - Amendments to SB 381 - K. Rasmussen - 1  
page D - Testimony on SB 381 - J. Carlson - D pages E - Testimony on  
SB 383 - C. Davie - 2 pages F - Testimony on SB 385 - C. Bennett - 2  
pages G - Testimony on SB 385 - C. Davie - 2 pages