

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.

HOUSE COMMITTEE ON BUSINESS AND CONSUMER AFFAIRS SUBCOMMITTEE NO. 3

April 1, 1991  
M.

Hearing Room 357 9:00 A.  
Tape 4 - 5

MEMBERS PRESENT: Rep. Hedy L. Rijken, Chair Rep. Lisa Naito Rep. Beverly Stein

MEMBER EXCUSED: Rep. John Schoon

STAFF PRESENT: Terry Connolly, Committee Administrator Annetta Mullins, Committee Assistant

MEASURES CONSIDERED: HB 2176 PH & WS HB 2141 PH HB 2436  
PH

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TAPE 4, SIDE A

010 CHAIR RIJKEN calls the meeting to order at 9:07 a.m. and opens the public hearing on HB 217 6.

HB 2176 - REQUIRES BOARD OF NURSING TO ESTABLISH RENEWAL PROCEDURE FOR CERTIFICATES OF NURSING ASSISTANTS. Witness: Rita Bauman, Oregon State Board of Nursing

011 TERRY CONNOLLY, Administrator, reviews the Preliminary Staff Measure Summary (EXHIBIT A).

021 RITA BAUMAN, member, Oregon State Board of Nursing and Assistant Administrator and Director of Nurses at Bay Area Hospital in Coos Bay, introduces Joan Bouchard, submits and reads a prepared statement in support of HB 2176 (EXHIBIT B).

074 Issues discussed: >Certification renewal process is proposed to be similar to the one used for nurses. >Duties of nursing assistants.

121 CHAIR RIJKEN closes the public hearing and opens the work session on HB 217 6.

128 MOTION: REP. STEIN moves that HB 2176 be sent to the full committee with a DO PASS recommendation.

131 VOTE: In a roll call vote REPS. NAITO, STEIN and CHAIR RIJKEN vote AYE.

REP. SCHOON is EXCUSED.

131 CHAIR RIJKEN opens the public hearing on HB 2141.

(Tape 4, Side A) HB 2141 - SEPARATES CERTAIN LICENSING BOARDS FROM HEALTH DIVISION. Witnesses: Art Keil, Health Division Jane Edwards, Board of Dentistry Cindy Potter, Executive Director, Oregon State Mortuary and Cemetery Board Christie Joachim, Executive Director, Board of Chiropractic Examiners Ruth Vandever, Executive Director, Board of Pharmacy Sue Wilson, Board of Barbers and Hairdressers Onrita Turner, herself Ray Gribbling, Uniservice Corporation

The Preliminary Staff Measure Summary is hereby made a part of these minutes (EXHIBIT C).

145 ART KEIL, Health Division, submits and paraphrases a prepared statement (EXHIBIT D) in support of HB 2176 and HB 2141-3 amendments (EXHIBIT E).

Issues discussed: >Efficiency of maintaining boards in Health Division. >Health Division is fiscally responsible for the boards. >Under the proposal, most likely the Executive Department will work with the boards on fiscal matters. >Staffing levels of boards. >Legislation introduced in previous sessions. >SB 991 does not affect the boards being removed from the Health Division in HB 2141. >Criteria for boards to spinoff from Health Division is a judgement factor. >Boards' ability to function autonomously. >Common location of board offices.

380 JANE EDWARDS, Board of Dentistry: I feel there is a perception that there is efficiencies in economies by having the boards working in conjunction with the Health Division. The Board of Dentistry was independent for 80 years before it came under the umbrella of the Health Division. The Health Division, under the law, provides services as requested by the board. Theoretically, the board could request no services from the Health Division and go elsewhere. As a practical matter, because our accounting is co-mingled with the other boards, we have to work with the Health Division. The Health Division provides basic accounting services. We put our own budgets together; they plug it into the Executive Department computer. We currently pay the Health Division \$24,000 a biennium for accounting. The Executive Department has offered to do it, and did last biennium, for about \$16,000.

This is a housekeeping bill. When the health-related licensing boards concept was established in 1969, we were all given the same agency number. Much in state government is driven by agency number. The Board of Dentistry cannot be listed under "D" in the state telephone directory because the directory is prepared by agency number. We are therefore listed under "Health-Related Licensing Boards." There is no such agency. If this bill were to pass, we could get our own agency number. I don't see any policy changes in our board. Somebody will do our accounting; we pay for the service. I do see some efficiencies.

TAPE 5, SIDE A

001 CINDY POTTER, Executive Director of the Oregon State Mortuary and Cemetery Board, submits and reads a prepared statement in support of HB 2141 (EXHIBIT F) and requests an amendment to ORS 293.180 to allow the board to maintain a petty cash fund up to \$500. The board previously has used the Health Division's petty cash fund. HB 2154 allows agencies with Executive Department approval to establish petty cash funds.

064 CHRISTIE JOACHIM, Executive Director of the Board of Chiropractic Examiners, submits and paraphrases a prepared statement in support of HB 2141 (EXHIBIT G).

106 Issues discussed: >Efficiency of co-locations and sharing FAX machine and other equipment.

121 RUTH VANDEVER, Executive Director, Board of Pharmacy. We have the same ties for fiscal and purchasing services with the Health Division. They have to redo or rubber stamp our purchase orders and send them out. The fiscal services will be done by the Executive Department for

\$14,000. We have been charged from \$28,000 to \$32,000 for the same services by the Health Division. I don't anticipate our lives would change if this bill passes, except we will have \$14,000 more.

Issues discussed: >Legislation was introduced last session by individual boards; it had not been proposed by the Health Division.

237 SUE WILSON, Board of Barbers and Hairdressers: The Board of Barbers and Hairdressers fit quite nicely into this bill in the beginning because of its size and independence. The difference began in 1988 when we went from the Department of Commerce to the Health Division. We had our own Salem office and a very sophisticated computer system. The Health Division had three additional advisory boards' programs which they administered in Portland. We integrated those programs, computer system, cashiering system, inspection and licensing services and they became a part of our office and staff. When this bill first emerged, the board had a more complex situation to solve. It means removing the advisory councils which were integrated which costs money. The division also recognized it would cost them some money. It isn't efficient for the Board of Barbers and Hairdressers to move out from under the division. We are already sharing services; it represents an expense and that is why we ask for the amendment and your support.

270 Issues discussed: >There are about 20,000 practitioners and 4,000 shops. >Board of Barbers and Hairdressers has 12 staff persons, four inspectors and support staff.

287 ONRITA TURNER: I am here to ask support for HB 2141. The separation of the Mortuary and Cemetery Board from the Health Division is economically sound and logical. It will assist the board which receives its revenues from sources other than the General Fund. It will allow the board to purchase services outside the Health Division, be able to contain its costs and still provide a high standard of service to the public and funeral industry. I feel the board is capable of standing on its own and ask you recommend a do pass on HB 2141.

324 RAY GRIBLING, Uniservice Corporation: I am not in opposition to this bill, but want to point out that you may want to consider a couple of points. The Board of Chiropractic Examiners and the Mortuary Board are also covered in SB 991. HB 2141 separates certain licensing boards from the Health Division. SB 991 transfers certain duties and functions of these boards to the Health Division. Maybe we should resolve the differences in SB 991 before moving forward with HB 2141.

355 MR. CONNOLLY: SB 991 was referred to the Senate Human Resources Committee on March 25.

312 CHAIR RIJKEN closes the public hearing on HB 2141 and opens the public hearing on HB 243 6.

(Tape 5, Side A) HB 2436 - REMOVES FIXED FEE SCHEDULE FOR X-RAY MACHINE REGISTRATION Witnesses: Jan Dean, Executive Department Art Keil, Health Division

The Preliminary Staff Measure summary is hereby made a part of these minutes (EXHIBIT H).

372 JAN DEAN, Executive Department: HB 2436 removes the fee schedule from the statute and allows the Health Division to set the fee by rule with review and approval of the Executive Department. This fee is included and is necessary for the Governor's recommended budget. It buys back an x-ray machine inspector that is eliminated or will be eliminated and supports all the General Fund activities in radiation control. The General Fund that is replaced with the fees collected will be used to support the Maternal and Child Health Program in the Health Division.

401 ART KEIL, Health Division, submits and paraphrases a prepared statement in support of HB 243 6 (EXHIBIT I). Amendments on the fee

amounts have not been prepared; the bill indicates it would be done by rule. In speaking with the Committee Chairman he has indicated to me that this committee does not look favorably upon giving the division the rule authority to change fees. We come in asking for your consideration as a stated fee. That fee would be \$100 as opposed to giving rule making authority.

442 Issues discussed: >Proposed fee of \$100 will be sufficient this biennium. >Four programs within radiation control program. Statutory authority exists in those programs that the dollars that have been subsidized would go to the radioactive materials program, the x-ray program, the emergency response program, and the environmental surveillance program. >The proposal would move the General Funds to the Maternal and Child Health Programs in the Division. A good portion would be delegated to the local health departments for prevention services to high-risk, low-income mothers, client contacts for family planning, home visits for families, pre-natal care and immunization services.

TAPE 4, SIDE B

043 Issues discussed: >Four programs in Radiation Control Section of the Health Division would utilize portions of these funds. >Whether it is appropriate to tax x-ray machines to pay for other programs.

075 MR. KEIL reviews a list of fee increases for each program (EXHIBIT J).

090 REP. NAITO: Will you provide information on what each of the four programs does.

MR. KEIL: We will be happy to do that.

123 CHAIR RIJKEN closes the public hearing on HB 2436 and declares the meeting adjourned at 10:11 a.m.

Respectfully submitted, Reviewed by,

Annetta Mullins Terry Connolly Assistant Administrator

#### EXHIBIT SUMMARY

A -HB 2176, Preliminary Staff Measure Summary, staff B -HB 2176, prepared statement, Rita Bauman C -HB 2141, Preliminary Staff Measure Summary, staff D -HB 2141, prepared statement, Art Keil E -HB 2141, HB 2141-3 amendments, Art Keil F -HB 2141, prepared statement, Cindy Potter G -HB 2141, prepared statement, Christie Joachim H -HB 2436, Preliminary Staff Measure Summary, staff I -HB 2436, prepared statement, Art Keil J -HB 2436, proposed fee list, Art Keil