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statements made during this session. Only text enclosed in quotation
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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

May 13, 1991
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Hearing Room 357 9:00 A.
Tape 18 -

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

MEMBER EXCUSED: Rep. John Schoon Rep. Beverly Stein

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

MEASURES CONSIDERED: HB 2792 WS SB 205 PH SB 206 PH

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statements made during this session. Only text enclosed in quotation
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proceedings, please refer to the tapes.

TAPE 18, SIDE A

004 CHAIR RIJKEN calls the meeting to order at 9:16 a.m. and opens the
work session on HB 279 2.

HB 2792 - AUTHORIZES DENTAL HYGIENIST UNDER GENERAL SUPERVISION OF
DENTIST TO ENGAGE IN PRACTICE OF DENTAL HYGIENE IN ANY PLACE WHERE
LIMITED ACCESS PATIENTS ARE LOCATED. Witnesses: Nan Dewery, Oregon Dental
Association Jane Edwards, Board of Dentistry Dell Isham, Oregon Dental
Hygienists' Association

010 REP. RIJKEN: I have proposed the HB 2792-1 amendments (EXHIBIT A).

026 NAN DEWEY, Oregon Dental Association: The only change in Section 1
of the amendments is (3) and we have no opposition to the change.

031 REP. NAITO: It repeals the section that requires the same number of
hygienists as dentists.

034 MS. DEWEY: We were concerned with dentists going out and opening up
a "hygiene mill" but Jane Edwards assures me that the board would
investigate a complaint of this kind. We feel the board has adequate
powers to make sure there are not too many hygienists working for one
dentist.

046 REP. NAITO: Will the board adopt rules?

046 REP. RIJKEN: My intent was to repeal that section.

046 JANE EDWARDS, Executive Director, Board of Dentistry: We feel we
don't need the authority to limit the number of hygienists. We would
get complaints from patients because they wouldn't be receiving other
services they needed. The board investigated a complaint and
reprimanded several dentists because they had failed to diagnose

abscesses and treat them. If they run a "mill" and neglect other treatment, it would come to the attention of the board and the board would deal with doctors for neglecting necessary treatment. The current rules allow two hygienists per dentist. About every month the board gets a request to have three and those are routinely approved. A lot of hygienists work part time. If this is abused and dentists hire five to seven hygienists, we will see complaints because we will see other treatment neglected.

076 REP. NAITO: If there was a problem, would you have ability to do something about it by rule?

MS. EDWARD: No.

REP. NAITO: I would like to keep that power in case it is necessary and we are not in session.

087 DELL ISHAM, Oregon Dental Hygienists' Association: The amendment repeals this section. We said we could also support the board's suggestion that the section be repealed. I think there is safeguard for the public. The dentist is still required to provide general supervision. This places more responsibility on the dentist in operating in a professional manner and alleviates the board approving additional hygienist, saving time for the dentists and board.

103 MR. ISHAM: The deletion of the proposed added wording to general supervision was designed to include some of the independent contractor law. With the testimony we heard from the ODA, their attorney said it is possible under some circumstances for hygienists to become an independent contractor. Therefore, we see no need for the additional language and would support the amendment.

Many people who are unlicensed perform the function in (5) under Section 2. We can conclude that this is an unlicensed function and does not need to appear in the dental hygiene law. We support the amendments the Chair proposes.

127 MS. DEWEY: The Executive Committee of the Dental Association met Friday and approved these amendments. They were concerned about noxious oxide use in a limited access facility but there is a rule already and that would take care of their concerns. At this time we don't think it should be put into law as long as there is a rule the board can follow.

130 CHAIR RIJKEN, due to the lack of a quorum, closes the work session on HB 279 2 and opens the public hearing on SB 205.

(Tape 18, Side A) SB 205 - AUTHORIZES STATE BOARD OF PSYCHOLOGIST EXAMINERS TO ADOPT RULES CREATING RESIDENCY STATUS FOR CERTAIN APPLICANTS FOR PSYCHOLOGIST LICENSES. Witness: Bonnie Wilson, Oregon State Board of Psychologist Examiners

142 TERRY CONNOLLY, Administrator, reviews the Senate Staff Measure Summary (EXHIBIT B).

The Legislative Fiscal Impact Assessment and Revenue Impact Analysis are hereby made a part of these minutes (EXHIBIT C).

140 BONNIE WILSON, Oregon State Board of Psychologist Examiners, submits and reads a prepared statement in support of SB 205 (EXHIBIT D).

155 REP. NAITO: In order to get a doctorate, does a person have to have two years of supervised employment?

MS. WILSON: Yes. Currently the statute requires two years of supervised work experience. The board's policy is that one can be pre-doctoral and one year must be post-doctoral. The statute also

allows them to acquire supervised work experience in exempt settings. A state, federal or county institution is exempt from licensure. There are people who after they receive doctorate want to be in private practice. The board is establishing a contract or mechanism for that supervision to be supervised by the board to make sure that person while acquiring the year of post-doctoral supervised work experience would meet certain requirements, such as two hours of supervision per week. It is not now defined. It just says "two years of supervised work experience." This amendment would allow the board to legally use the contract to regulate that supervision acquired outside of the exempt setting stated in the statute. The board would define "one year of full-time post-doctoral supervised work experience" as 1,500 hours.

203 REP. NAITO: If they have done their post doctoral in another state, how would you grant them a license in this state?

MS. WILSON: The application form addresses that and requires they list pre- and post-doctoral experience. The board would require that the supervision be under a licensed psychologist. The supervision would be by a doctorate level person.

REP. NAITO: How many applications do you get every year?

233 MS. WILSON: There are around 75 to 100 applicants. They don't all go through the licensing process in a year.

227 REP. NAITO: Are these requirements similar to other states? What kind of reciprocity do we have on this?

245 MS. WILSON: Most states require two years of supervised work experience. I don't think we would be limiting or denying anyone the privilege to practice in this state. The board's rules require one year be post-doctoral. This would make it a requirement by law. The contract gives the board the authority to regulate that year of post doctoral supervised work experience to make sure it meets the requirements for supervised work experience to meet the requirements for licensure.

254 CHAIR RIJKEN, closes the public hearing on SB 205 and opens the public hearing on SB 206.

(Tape 18, Side A) SB 206 - AUTHORIZES BOARD OF PSYCHOLOGIST EXAMINERS TO REQUIRE ORAL EXAMINATION FOR ISSUANCE OF LICENSE. Witness: Bonnie Wilson, Oregon State Board of Psychologist Examiners

The Senate Staff Measure Summary, Revenue Impact Analysis and Legislative Fiscal Impact Assessment are hereby made a part of these minutes (EXHIBIT E).

260 BONNIE WILSON, Oregon State Board of Psychologist Examiners, submits and reads a prepared statement in support of SB 206 (EXHIBIT F).

291 REP. NAITO: Does the board have an oral examination for the applicants.

MS. WILSON: Yes. The board requires every person practicing in Oregon to pass a national written examination and the State Board oral examination. ORS 675.050 gives the board the discretion to waive the written and oral examination. The board wants to require that every person who practices in Oregon have an oral examination. The reason is people come in from other states and are not familiar with Oregon laws regarding commitment procedures, child abuse, elderly abuse reporting requirements. The board has observed that when people come in from out of state they meet education and experience requirements, but when they sit for an oral, they are not familiar with Oregon laws. The board would like a statute that would require everyone who practices in Oregon be aware of Oregon laws as they relate to the practice of psychology.

348 REP. NAITO: If a person practiced in a limited practice in another

state, do you feel it is important they also have the knowledge of other areas of law?

363 MS. WILSON: The Oregon license is a generic one; we don't have specialty areas. The board sends out prior to the oral examination, all of the laws that would be significant for a person to know to practice in Oregon.

REP. NAITO: Would the oral test then be based on the written materials that were sent out?

381 MS. WILSON: That is correct.

391 CHAIR RIJKEN: We will reschedule these bills for the full committee on Thursday.

401 CHAIR RIJKEN declares the meeting adjourned at 9:43 a.m.

Respectfully submitted, Reviewed by

Annetta Mullins Terry Connolly Assistant Administrator

EXHIBIT SUMMARY

A -HB 2792, HB 2792-1 amendments, Rep. Rijken B -SB 205, Senate Staff Measure Summary, staff C -SB 205, Legislative Fiscal Impact Assessment and Revenue Impact Analysis, staff D -SB 205, prepared statement, Bonnie Wilson E -SB 206, Senate Staff Measure Summary, Revenue Impact Analysis and Legislative Fiscal Impact Assessment, staff F -SB 206, prepared statement, Bonnie Wilson