

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 EDUCATION

February 20, 1991Hearing Room F 1:30 p.m.Tapes 23 - 24

MEMBERS PRESENT:Rep. Carolyn Oakley, Chair Rep. Bruce Hugo Rep. Delna Jones Rep. Mike Nelson Rep. Bob Pickard Rep. Walt Schroeder

MEMBERS EXCUSED:Rep. Vera Katz, Vice-Chair

STAFF PRESENT: Lee Penny, Committee Administrator Carolynn Gillson, Committee Assistant

MEASURES CONSIDERED: HB 2105 - School immunizations, PPW

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TAPE 23, SIDE A

005 REP. CAROLYN OAKLEY, CHAIR: Calls the meeting to order at 1:35 p.m.

(Tape 23, Side A) HB 2105 - School immunizations Public Hearing
Witnesses: Art Keil, Health Division, Department of Human Resources (DHR) Lorraine Duncan, Health Division Dr. David Fleming, Health Division Melinda Grier, Oregon State System of Higher Education (OSSHE) Karen Garst, Oregon Community College Association (OCCA) Gary Andeen, Oregon Independent College Association (OICA) Elaine Shreeve, Oregon School Nurses Association Thomas Kline, Head Start Directors Association

CHAIR OAKLEY: Refers to testimony submitted by the Multnomah E.S.D. supporting proposed changes to HB 2105 (EXHIBIT A).

010 ART KEIL, assistant administrator, Health Division: Reads his testimony (EXHIBIT B) concerning the proposed amendments (EXHIBIT C). > The Division has agreed to take out references to four-year colleges in the area of the bill concerning exclusion due to communicable disease.

055 LORRAINE DUNCAN, manager of immunization program, Health Division: Explains the language in Section 6 concerning communicable disease for preschool and school-age children. > Higher education institutions provide for this exclusion under their own rules.

KEIL: We will allow the four-year institutions to exclude the student rather than including them in the Health Division rules. > Reads the rest of his testimony concerning changes in sections 8, 9 and 10 of the bill.

106 CHAIR OAKLEY: How will the students already in school be affected by the health care provider documented immunization records referred to in the amendments?

DUNCAN: Basically, current law requires signed written evidence of immunizations. The amendment allows an immunization update to be in the form of a computer printout or letter from a health care provider.

134 REP. BRUCE HUGO: HB 2105-1 is a new bill, correct?

138 LEE PENNY, Committee Administrator: Legislative counsel drafted the amendments into the bill in an engrossed form.

161 DR. DAVID FLEMING, state deputy epidemiologist, Health Division: Reads his testimony concerning the Health Division's rationale to limit the requirement for measles immunization in community college students (EXHIBIT D).

228 REP. BOB PICKARD: Is there anyway to avoid a statewide mandate?

FLEMING: Nationally, there have been many unsuccessful experiments to get people who need immunizations to get them without a mandate. Mandating immunizations is the only way to ensure that people will get them. Local health departments give the immunizations free of charge.

REP. PICKARD: Is it not part of your function to provide the immunizations for community college students?

DUNCAN: Currently, we are providing the vaccines free of charge to all the four-year higher education schools. We are hoping about one-third of the community college population are getting immunizations free from local health departments. We are assuming the remaining community college population can afford to pay for the vaccine on their own.

REP. PICKARD: What requirements are necessary to establish need?

266 DUNCAN: It varies from local health departments. The majority do charge about \$6. Nobody is refused service for inability to pay. Some larger departments use a sliding fee schedule.

FLEMING: The local health departments are prohibited from charging for the vaccine. There is an administrative charge only.

284 REP. WALT SCHROEDER: What risk do young people in that age group, who do not attend college, have of getting measles?

FLEMING: The risk for measles is on college campuses versus in college-age people.

289 REP. DELNA JONES: What about providing the vaccine to community college health services?

DUNCAN: Only Lane Community College has a health services office.

CHAIR OAKLEY: Notes a letter from the Oregon Student Lobby expressing concern about HB 210 5 (EXHIBIT E).

339 MELINDA GRIER, OSSHE: Reads testimony explaining OSSHE's opposition to HB 2105 and suggests some language changes if the committee feels the bill is necessary (EXHIBIT F). > Explains the costs to students and the

institution to give the vaccine. > Supports Health Division's proposal to eliminate part of bill with restrictive orders. > Suggests removing the requirement for an annual report. The cost is greater than the benefit.

REP. JONES: What do you plan to do differently if higher education institutions are not included in this bill?

438 GRIER: We will increase publicity to get immunizations and work with local county health departments to be present during enrollment periods. > Only three institutions do not have immunization requirements: Southern Oregon State College, Eastern Oregon State College and Western Oregon State College. They all have county health offices.

TAPE 24, SIDE A

024 REP. HUGO: Why doesn't OSSHE have a rule?

GRIER: OSSHE tends to delegate to the institutions. > The estimated \$30,000 to \$40,000 impact is for administrative costs not immunization costs.

CHAIR OAKLEY: Are you agreeing with Section 9, but not Sections 10 and 11 in the amendments?

GRIER: In Section 10(3), we want to take out the annual report requirement. > We are only opposed to the parts of the bill that affect higher education.

097 KAREN GARST, executive director, OCCA: Reviews her testimony explaining why OCCA is opposed to including community colleges in the bill (EXHIBIT G).

CHAIR OAKLEY: Are you aware of any cases of measles in the community colleges?

GARST: There have not been any epidemics. I am not aware of individual cases. > Continues with her testimony explaining what community colleges are doing to address the problem in their programs. > Urges committee to exclude community colleges from the bill. > Suggests it would make more sense to require immunizations before obtaining a driver's license.

201 REP. JONES: Questions why OCCA is opposed to immunizations of students involved in athletics?

GARST: If the premise for including athletic teams is because they are more susceptible to catching a disease while traveling out-of-state, it would not apply to community college athletes because they do not travel out-of-state. This bill is not going to make a difference with community colleges. > Refers to statistics in her handout.

REP. JONES: The issue is how we get the population to recognize the need for immunizations. How many of your students are full-time and how many are within the age addressed in this bill?

GARST: We have 300,000 people enrolled each year and around 50,000 full-time equivalents.

285 REP. HUGO: I don't understand why proof of immunization should not

be required as a condition of enrollment and what costs are involved.

GARST: Talks about the costs of requiring immunizations. Including these people in the bill does not accomplish what you want.

REP. HUGO: If the allied health care program already requires immunizations, there is no cost.

334 GARST: The impact on the three programs listed in the bill would be insignificant on the outbreak of measles. It is an ineffective use of resources.

357 REP. SCHROEDER: Suggests every student in the target age group have their immunization record to get enrolled.

418 GARY ANDEEN, executive director of the OICA: If possible, we would prefer this be handled outside of statute. If a bill and mandate are necessary, keep it as unobtrusive, inexpensive and uncomplicated as possible. > Agrees that the annual report requested on line 16 Section 10, be removed. > Suggests on line 10, Section 10 adding the words "under the age of." Refers to chart showing student population by age from the 1989 Fall term (EXHIBIT H). > We can live with these amendments with some age limitations.

TAPE 23, SIDE B

061 REP. JONES: Reviews concerns expressed by Andeen and Garst.

095 ELAINE SHREEVE, Oregon School Nurses Association: We support the recommended changes for the bill that effect public school children. > Explains their support of exclusion dates for children without immunization records. > We need the mandates particularly during an outbreak.

124 THOMAS KLINE, Clackamas County Children's Commission, representing the Oregon Head Start Directors Association: Supports the bill and is only concerned if there were an exclusion requiring children to be immunized before they enter our programs.

153 REP. JONES: Remind us about the at-risk population for measles?

KEIL: People born prior to January 1, 1957, were born before the immunization was available and were excluded in the bill.

REP. JONES: The student under age 20 is not the only population at-risk. People up to age 34 are also at-risk.

185 DR. FLEMING: Nationally, many of the cases of measles have been in 15 to 19 year olds. The rational cutoff is not age 20 but people born after 1957.

KEIL: Agrees to deleting language in the bill requiring an annual report. Points out a representative of community colleges proposed to the Health Division to include only education programs, allied health programs and athletics in the legislation.

REP. HUGO: Where did the language in Sections 10 and 11 "upon a finding of medical necessity by the Health Division " come from?

214 DR. FLEMING: The Health Division would be the people best able to

judge whether or not a second dose of measles immunization is appropriate for college students.

DUNCAN: Explains how the cutoff date was established.

243 PENNY: Talks about who the 30-day grace period would not apply to.

DUNCAN: Explains the two groups of students the 30-day grace period would not apply to are new enters and transfers.

287 CHAIR OAKLEY: Adjourns meeting 2:52 p.m.

Submitted by: Reviewed by:

Carolynn GillsonLee Penny Assistant Administrator

EXHIBIT LOG:

A -Testimony on HB 2105 - Multnomah E.S.D. - 1 page B -Testimony on HB 2105 - Art Keil - 4 pages C -Amendments to HB 2105 - committee staff - 14 pages D -Testimony on HB 2105 - Dr. David Fleming - 3 pages E -Testimony on HB 2105 - Oregon Student Lobby - 1 page F -Testimony on HB 2105 - Melinda Grier - 2 pages G -Testimony on HB 2105 - Karen Garst - 2 pages H -Testimony on HB 2105 - Gary Andeen - 1 page