

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 HUMAN RESOURCES

March 18, 1991Hearing Room D 1:00 p.m.Tapes 82 - 85

MEMBERS PRESENT:Rep. Mary Alice Ford, Chair Rep. Beverly Stein, Vice-Chair Rep. Jerry Barnes Rep. Cedric Hayden (arrived 3:20) Rep. John Meek Rep. Hedy Rijken (arrived 1:07) Rep. Jackie Taylor

STAFF PRESENT: Melanie Zermer, Committee Administrator Pamela Berger, Committee Assistant

MEASURES CONSIDERED: HB 2398 - Criminal Records for Child Care Providers - Wrk HB 2399 - Regional & Community Child Assessment Centers - Wrk HB 2882 - Regional & Community Child Abuse Assessment Center - Public Hearing

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TAPE 82, SIDE A

010 CHAIR FORD: Calls the meeting to order at 1:05 p.m.

WORK SESSION: HB 2398 - Criminal Records for Child Care Providers  
Witnesses: Ken Otto, Department of Human Resources (DHR) Lt. John Erickson, Oregon State Police Linda Sunday, Foster Parent Program, Children Services Division (CSD)

MELANIE ZERMER, COMMITTEE ADMINISTRATOR: Submits and explains HB 239 8-1 proposed amendments (EXHIBIT A) and a hand-engrossed version of the proposed amendments (EXHIBIT B). - The Governor's Task Force on Sex Abuse Against Children recommended this bill to ensure all persons working with children under the administration of CSD have been checked for criminal misconduct detrimental to children, including fingerprinting. - The amendments make the provisions of the bill permissive. - It expands scope of person to be checked; could include persons working with elderly. - It gives DHRrules making authority to

determine which DHR employees can request a check and which persons would be subject to the check. - It requires DHR from considering persons who refuses check to be considered for position being sought.

REPRESENTATIVE STEIN: Please explain what the language means "where criminal offender information is required to implement a federal or state statute...".

050 KEN OTTO, DEPARTMENT OF HUMAN RESOURCES (DHR): This bill will cost us only processing costs and we have money in the current budget. - CSD estimates there will be approximately 1,800 - 1,900 checks in the next year. We are asking the applicants to pick up the costs. 060 - In response to REPRESENTATIVE STEIN, this language is from the Oregon State Police. This will be used to implement administrative rules at CSD, SDSA, and Mental Health. - Current law, ORS 181.537, outlines different cases where we can get fingerprints under different conditions (i.e. foster parents, adoptive parents, potential foster parents). The amendments provides broader language for this statute.

CHAIR FORD: Reads amendments. Would like clarification on language.

102 LT. LEE ERICKSON, OREGON STATE POLICE: Agrees this language is hard to understand. - The only reason DHR, by law, can get this criminal information is because of an executive order. That would be the only reason that we could provide them with criminal information.

CHAIR FORD: Not sure if this form does this. Discusses language in the amendment.

124 REPRESENTATIVE STEIN: Are there other laws that forbid DHR from obtaining criminal information from the State Police?

ERICKSON: Yes, for example, for general internal employment purposes within DHR.

140 REPRESENTATIVE STEIN: For every category of provider groups that we want this type of check can happen, we need to make sure there is an executive order or state law to justify that. - Are there other groups we have not provided for?

OTTO: It is an executive order or rules that go beyond statute. We have rules in effect for many of the categories.

REPRESENTATIVE STEIN: What are the costs to applicants?

OTTO: \$26

ERICKSON: \$33 initially; \$10 to the State Police and \$23 to the FBI.

165 CHAIR FORD: How will the departments request this information?

OTTO: If we get this authority, we will run our normal law enforcement data system check. If something show up, such as multi-state offender code, then we will go back to the applicant and inform them that a fingerprint is needed.

CHAIR FORD: Will you do the LED check first?

OTTO: We currently do that.

CHAIR FORD: Will there be information out there that does not show up on the LED system?

OTTO: Yes.

CHAIR FORD: Give an example of what could come up in your initial investigation that would lead you to use the authority this bill would give.

176 OTTO: Multi state offender codes. This would show there has been an offense in more than one state.

ERICKSON: For example, a person may provide their name, date of birth, and possibly their social security number on an application. From that information we may find there is a criminal history. Right now, without a fingerprint card, DHR cannot get other state information from us and cannot make an informed decision.

191 REPRESENTATIVE STEIN: Would there be rules that would prohibit you selectively using this ability?

OTTO: We will have rules specifically outlining when we will use this authority.

REPRESENTATIVE MEEK: How many kids in your current CSD file?

210 LINDA SUNDAY, FOSTER CARE MANAGER, CHILDREN SERVICES DIVISION (CSD): These amendments would allow us to do FBI checks, as defined by our administrative rule on adult applicants who care for kids. We have approximately 3,800 children in foster care. We have 2,800 foster parents on any given month - doubled for spouses, so approximately 5,000.

REPRESENTATIVE MEEK: How many cases of foster abuse?

SUNDAY: Less than 100, that we knew about last year. This is lower than other states. We are quite concerned for the safety of children. 260 - We estimate that over a 24 month period about 600 foster and adoptive parent applicants would be requested to have an FBI file check be done. - This is after an Oregon criminal records check. This would be approximately 24-25 a month.

REPRESENTATIVE MEEK: Do you perceive any impact on investigating those currently in the system?

SUNDAY: This would need to be defined by administrative rules. - Thinks that we would want to go back into existing applicants to see if there is anybody who is currently certified to see if they have a FBI file numbers or a multi state offender code. In my opinion, we would want to ask those people to get a FBI check, which we currently cannot request.

REPRESENTATIVE MEEK: This would be 2,700 families?

SUNDAY: Yes.

280 CHAIR FORD: We are now including adult foster homes. How would that effect SDS?

OTTO: SDS provided information stating their plan is implement this at the applicant's expense if there are multi-state offenses or records

under other assumed names. - They currently have people finger-printed for the LEDS process. They don't expect a fiscal impact. Don't know how many adult foster homes there are in the state.

CHAIR FORD: Could like to know what types of things you would find out from this list that would disallow a person living in the foster home. What would show up that would disqualify a home?

SUNDAY: Generally looking for crimes against children and serious felonies which occurred in other states and did not show up in an Oregon check.

334 CHAIR FORD: If there were anything besides criminal offenses or crimes against children then they would be O.K.

SUNDAY: Not necessarily. We would look at the record and use the current certification process which includes examining the seriousness of the crime, how long it has been, kinds of retribution, and treatment. We then decide, on a case by case basis if we feel this person could be certified. - Currently each agency has separate administrative rules governing certification and licensing. - Currently our certification rules for the care of children are less clear. - Branch managers must make exceptions to the rules when there is a criminal record. This would tighten up those rules.

246 CHAIR FORD: Just received a note that there are approximately 5,000 adult foster homes which would be covered by this bill.

REPRESENTATIVE MEEK: What is your definition of permissive, as these amendments apply?

OTTO: It does not require DHR to do the additional check; the original bill does.

366 CHAIR FORD: If a manager of adult foster or children foster home had someone come in to live and to help out, could the manager get a check on that person?

SUNDAY: CSD certification rules require an Oregon criminal record check on any other adult living in the household.

CHAIR FORD: Could that manager request a FBI check under these amendments?

ERICKSON: This is enabling legislation because the federal government through the FBI says that you need a state enabling statute which allows other than a criminal justice agency to get these record checks. - If the foster care certified parent wants information on a person helping them (i.e. dishwasher) they can go to the state police and pay \$10.00 for a state of Oregon only record file. Or they can work through CSD to have them request information. But CSD is prohibited by state and federal law from that sharing that information.

TAPE 83, SIDE A

010 CHAIR FORD: If this law is implemented, and if agencies decide not

to follow up after a LEDS check, could that individual request the state (to get past federal law) and get that information?

ERICKSON: No.

REPRESENTATIVE MEEK: If a foster care parent hired a house cleaner and requested CSD to do a check, and the information won't be disclosed to the foster parent, how will they know what information was found?

ERICKSON: The CSD employee would need to say that this persons can't be certified or the home can't be certified with that employee there.

REPRESENTATIVE MEEK: What if that person was already certified and had kid(s) living in the home?

SUNDAY: Then we say the certification could become null and void if that situation is not rectified. Anytime a new employee enters a foster home, our certification requires that we do a criminal record check on the name only under the LED system. We could go further if our administrative rules allowed us to. Probably, if a Oregon LEDS check did not show anything, we would not pursue a FBI check.

045 CHAIR FORD: Would you always know when a person came to work or live in a foster home?

SUNDAY: We tell them, upon certification, they must notify us if there are changes in the persons living/working in the home.

REPRESENTATIVE BARNES: Knows of a lot of people who would become unglued if they were asked to be finger-printed. What impact is this going to have if potential foster parents know they would need to be finger-printed?

SUNDAY: Yes, we have talked to foster parent groups which stated same concern. - It would hurt our ability to recruit and maintain foster homes. - The enabling legislation which would only have us requiring fingerprints when an applicant had an existing Oregon criminal history will not have that same effect. It will impact only a small number of applicants and it would identify those we would like to scrutinize.

070 Discussion on language not stating the intent.

SUNDAY: Felt that administrative rules could provide flexibility.

115 Discussion on language in Section 1 subsection (3).

ERICKSON: Another example would be when a person has no way to show who they are and they want to work in a provider area -- they would need to be finger-printed to see if they exist in a criminal record file.

165 CHAIR FORD: Requests that REPRESENTATIVE MEEK and Lt. Erickson meet with interested parties to work out details on this piece of legislation.

WORK SESSION: HB 2399 - Regional & Community Child Assessment Centers  
Witnesses: Mary Hoyt, Children Services Division (CSD) Doug Baloof, Victims Assistance Program

171 MELANIE ZERMER: Submits and explains HB 2399-2 proposed amendments

(EXHIBIT C) and a hand-engrossed version of the proposed amendments (EXHIBIT D). - The -1 amendments submitted at an earlier meeting have not been adopted. - The bill appropriates money to the district attorneys for the purposes of developing multi-disciplinary child abuse investigation teams. - The committee asked John Collins for consensus from the District Attorneys' Association and was not able to complete his survey in time for this hearing.

200 MARY HOYT, CSD/TASK FORCE ON SEX OFFENSES AGAINST CHILDREN: John Collins was not able to attend today's hearing due to a conflict. - The District Attorneys' Association has not completed their survey on acceptability shared funding between counties and state.

CHAIR FORD: Do you know how many from the District Attorney's Association would support shared funding?

HOYT: No. They support the original bill which provided 100% state funding.

REPRESENTATIVE BARNES: The county commissioners will also be affected, has anybody heard from the Association of Oregon Counties (AOC)?

230 HOYT: No, unless John Collins contacted them.

211 REPRESENTATIVE MEEK: Likes HB 2398 and HB 2399. But to spend the necessary time for these enabling legislation without funding is frustrating. Does CSD have the money to fund these projects?

HOYT: CSD does not have the money in their budget for these programs.

REPRESENTATIVE MEEK: I wonder if these issues should be brought back next session when hopefully there are more funds available.

CHAIR FORD: We could hold them until a miracle happens or shall we put them on hold until a way can be found to implement them without state funds?

CHAIR FORD: We need to find out AOC's position on the bill. Wonders why they haven't made an effort to contact the committee or staff on this bill.

REPRESENTATIVE MEEK: Will contact AOC.

280 REPRESENTATIVE STEIN: Another option would be for us to look at needs and prioritize. We could pass this to Ways and Means with the intent to later on examine resources are and keep the pressure on Ways and Means that this is an important need. If we hold it in this committee, Ways and Means will never know about this need.

REPRESENTATIVE BARNES: Will this committee compile policy priorities?

CHAIR FORD: Yes.

REPRESENTATIVE BARNES: Agrees with REPRESENTATIVE MEEK and REPRESENTATIVE STEIN. We do need to prioritize. There are so many current

requirements and we should not ruin our credibility with the Ways and Means members. We need to be cautious, especially when working on policy

statements.

MOTION: REPRESENTATIVE STEIN MOVES ADOPTION OF HB 2399-2 AMENDMENTS.

VOTE: THE MOTION FAILS 3-3. REPRESENTATIVE RIJKEN, REPRESENTATIVE STEIN, AND REPRESENTATIVE TAYLOR VOTE AYE. REPRESENTATIVE BARNES, REPRESENTATIVE MEEK, AND CHAIR FORD VOTE NAY. REPRESENTATIVE HAYDEN IS EXCUSED.

MOTION: REPRESENTATIVE STEIN MOVES HB 2399 TO WAYS AND MEANS WITHOUT A RECOMMENDATION.

MELANIE ZERMER: If we send HB 2399 to Ways and Means without a recommendation, be advised that we are also sending down the piece on assessment centers. It was the intent of the sponsor to remove that portion because it is in HB 2882.

346 DOUG BALOOF, VICTIMS ASSISTANCE PROGRAM: Would like HB 2882 to be sent to Ways and Means with a do pass recommendation.

CHAIR FORD: The recommendation on HB 2399 would not effect HB 2882.

REPRESENTATIVE MEEK: Don't think we are doing HB 2399 a favor by sending it to Ways and Means, as drafted. - Should have had a further discussion on the amendments before they failed.

REPRESENTATIVE STEIN: Withdraws motion.

MOTION: REPRESENTATIVE STEIN MOVES ADOPTION OF THE HB 239 9-1 AMENDMENTS.

REPRESENTATIVE MEEK: Don't think this is the appropriate time to send this bill to Ways and Means without appropriate funding available. - Will be voting against this motion for that reason.

TAPE 82, SIDE B

- After we develop a priority list we could consider sending this bill to Ways and Means.

CHAIR FORD: Do you feel this bill should be a priority?

REPRESENTATIVE MEEK: Yes.

REPRESENTATIVE STEIN: Am choosing this tactic because we don't know if this bill will ever come up again. - Need to deal with it now since it is before us. - Want to make sure this is seen by Ways and Means, even in-perfect form.

REPRESENTATIVE BARNES: Will be voting against this motion because we have not had any input from the District Attorneys' Association and county officials and this would be a premature action.

VOTE: THE MOTION FAILS 3-3. REPRESENTATIVE RIJKEN, REPRESENTATIVE STEIN, AND REPRESENTATIVE TAYLOR VOTE AYE. REPRESENTATIVE BARNES, REPRESENTATIVE MEEK, AND CHAIR FORD VOTE NAY. REPRESENTATIVE HAYDEN IS EXCUSED.

045 MOTION: REPRESENTATIVE STEIN MOVES HB 2399 TO WAYS AND MEANS WITHOUT A RECOMMENDATION.

REPRESENTATIVE BARNES: Will be voting against the motion because we are missing information from the affected parties.

VOTE: THE MOTION FAILS 3-3. REPRESENTATIVE RIJKEN, REPRESENTATIVE STEIN, AND REPRESENTATIVE TAYLOR VOTE AYE. REPRESENTATIVE BARNES, REPRESENTATIVE MEEK, AND CHAIR FORD VOTE NAY. REPRESENTATIVE HAYDEN IS EXCUSED.

CHAIR FORD: Supports bill and wants it sent to Ways and Means with a recommendation. - Wants to wait until priority list is developed. - This will be high on my priority list.

PUBLIC HEARING: HB 2882 - Regional & Community Child Abuse Assessment Center Witnesses: Mary Hoyt, CSD/Task Force on Sex Offenses Against Children Rep. Peter Courtney, District 33 Bob Iseli, Task Force on Sex Offenses Against Children Helen Smith, Multnomah County District Attorneys Office Rep. Mike Burton, District 57 Detective Dennis Frome Dr. Jan Bays, Pediatrician Emmy Lowe, CARES, Administrator Rhonda Herring, Clackamas County Great Start Committee Karee Records, Parent of Abused Child Jackie Hall, Parent of Sexually Abused Child Mary Bebe, Parent of Sexually abused child Connie Jacoby, Children Services Division (CSD) Sylvan Simmonds, "Stop It" Mary Helen Sharret, Marion/Polk Legal Aid Client John Powell, Blue Cross/Blue Shield of Oregon

080 MARY HOYT, CHILDREN SERVICES DIVISION (CSD)/TASK FORCE ON SEX OFFENSES AGAINST CHILDREN: Testifies in support of HB 2882. - HB 2882 was not introduced on behalf of the Task Force on Sex Offenses Against Children. - It was introduced by Rep. Courtney. - After the Task Force toured the state we felt that regional assessment centers were a priority but because of budget restraints due to Measure 5 we did not introduce it.

120 REP. PETER COURTNEY, DISTRICT 33: Testifies in support of HB 2882. - Feels this was one of the most important pieces of legislation that came of the Task Force on Sex Offenses Against Children. - Ballot Measure 5 did not exclude the importance of this. - Feel strongly about this issue.

166 BOB ISELI, TASK FORCE ON SEX OFFENSES AGAINST CHILDREN: Testifies in support of HB 2882. - Although money is not available for assessment center for children, we cannot put our children off. They don't understand we can't do this to them. - For every dollar not spent we'll be spending \$20 later on. - Know you will find the money. - Compares outcomes for sexually abused children that were and were not served by a CARES center.

235 CHAIR FORD: Was this a high recommendation from the Task Force?

ISELI: One of the highest. - CSD doesn't have the needed funding for assessment centers. - A lot of kids who would be served by assessment centers probably wouldn't be seen by CSD because they are not from dysfunctional families. - At times abuse was performed by a family



member.

CHAIR FORD: Did the Task Force consider community involvement?

ISELI: There is a camp in Astoria for abused girls. - Community funds and the business community should take part in serving abused children.

284 REPRESENTATIVE BARNES: Except in section 8, the bill does not say who will provide funding.

ISELI: Trauma centers can become self sufficient, after initial funding is provided to get them running. Sees the same for assessment centers. - Oregon centers would be able to help children from other states. - Oregon is very shallow in the areas of sex abuse; although other states view Oregon at top of the list for progress in this area.

230 HELEN SMITH, MULTNOMAH COUNTY DISTRICT ATTORNEYS OFFICE: Testifies in favor of HB 2882. - Multnomah county is blessed with a CARES program. - Regionalized programs, such are CARES, benefit our children who are our future. - Benefits gained include minimizing the need for children to testify of the abuse over and over. A video tape from the initial interview would be used. - Judges find video tapes from CARES to be respectable and are accepted by the court. - This information is used for confessions. - They avoid re-victimizing child over and over again and also create permanent record. - CARES centers have a humane aspect. - They are conducive to revealing information. - The use of video tapes have assisted children in court when the child freezes and cannot continue testifying. They are used as a court supplement. - The video tapes can also capture physical findings. - Professionals can also find information about the abuse by body language. - Re-interviewing is bothersome to families as well as the child. - Children are our future and they need to be given the opportunity to reach their fullest potential.

TAPE 83, SIDE B

057 REP. MIKE BURTON, DISTRICT 57: Testifies in support of HB 2882. - The Emanuel Hospital's CARES program is outstanding. - They have the advantages of availability of trained sensitive staff. - Video taped interview eliminate duplicating questions in court. - The fact of shortage of funds should not stop you from sending HB 2882 to Ways and Means. Your job is substantive and the lack of funds should not stop you from voting this out with a do pass recommendation. - Eventually, assessment centers will save the system money. - The Multnomah County District Attorneys' Office brought this to my attention and are in support of HB 2882. - The real issue here are the benefits to children.

115 DETECTIVE DENNIS FROME: Testifies in favor of HB 2882. - Child Assessment Centers provide experts to interview children. - Child development is not a specialty of police. - Police may expect too much out of child. They may not understand why the child only provides bits and pieces instead of a running narrative. - Discusses the use of video tapes in child abuse cases. - Hospital settings are much easier on the children than a police station.

- Encourages passage of the bill.

200 DR. JAN BAYS, PEDIATRICIAN: Testifies in favor of HB 2882. -

Describes the CARES program. - Few private physicians are trained in child abuse cases. - Because of the great number of children seen by CARES, they have become virtually the experts. - They are able to validate complaints. - Once there was a 3 1/2 year old who disappeared at the Rose Festival. When he was found he said the police had abused him. The CARES center were able, through interviewing police, determine that in fact it was a carnival worker dressed as a police officer who abused him. - Once there was a child that was thought to have been abused but in fact he had a metabolic disorder. - One there was a child who accused protective service workers of abuse and CARES was able to clear those allegations. - CARES is able to prevent further abuse and have them return to the non-perpetrator parent. - Exams can be therapeutic. - Once a 7 year old child was experiencing high anxiety; she feared she was pregnant from the touching a males genital area. CARES was able to help her understand that she was not pregnant. - We have been able to clear parents of allegations of child abuse and those children have been able to return to their home. 360 - Advantages of regional assessment centers include decreased trauma to the child, increased agency cooperation and efficiency (we get all players in one room), decreased cost because cases are resolved quickly. - We strive to prevent long term problems such as prostitution, drug abuse, and criminality.

370 CHAIR FORD: You are known as the child abused experts in Oregon, how will you be able to provide the needed numbers of qualified personnel?

BAYS: More and more doctors are interested in training of child sexual abuse. We offer training twice a year and have had excellent attendance.

CHAIR FORD: It is difficult for law enforcement agents to do examinations without adequate training and knowledge.

420 BAYS: That is what is great about the assessment centers - the people that work there, want to either paid or voluntary. - Through this bill, we are asking that private insurance be required to cover costs of services provided through assessment center. - Thus far we have had no problems with private insurance. The problem with welfare because of partial (50-60%) reimbursement. There are problems also with those children who fall through the cracks (no private insurance or welfare funds). Funds would be needed for those children.

TAPE 84, SIDE A

- Don't think that these programs would ever be self-supporting. It would help if we could count on private insurance paying 100% and if Medicaid would pay 100%

020 EMMY LOWE, CARES ADMINISTRATOR: Discusses reimbursements from private insurance companies and through Medicaid (tape inaudible).

030 REPRESENTATIVE TAYLOR: Don't you view 5,000 cases of sexual abuse as an

epidemic?

BAYS: Yes. One in five children will be molested before they are 18

year.

- We used to described molestation as abuse by a person four years older than the victim. Now we find more juvenile perpetrators, some as young as 8 years old. - We would like to find these juvenile perpetrations and interrupt their behavior.

REPRESENTATIVE BARNES: The bill does not address whose jurisdiction (the state or local) these children are in. We should draft some amendments addressing this.

BAYS: There are 21 child assessment centers in the State of Florida. - We feel it would be better for each region in Oregon to decide what their unique needs are. - There should be some on-going criteria.

LOWE: The Health Department would be the logical coordinator.

071 CHAIR FORD: Concerned about a region not being defined.

BAYS: We envision these to be similar to the trauma centers in Oregon, scattered throughout the state dealing with most traumatic cases. In each geographic district served by the regional assessment center there would be trained individuals to do exams. - In the Salem area there are 8-10 trained physicians who rotate monthly.

CHAIR FORD: Asks interested parties to work out details with REPRESENTATIVE BARNES.

105 RHONDA HERRING, CLACKAMAS COUNTY GREAT START COMMITTEE: Testifies in support of HB 2882. - Supports CARES program; wish there was one in Clackamas County. - Knows victims that need professional help. - Clackamas county commissioner provided funds supportive of CARES model. - Seven years ago a child shared information with me about being abused when I was first grade teacher. The lack of training made it difficult for me to respond. - CARES doesn't have enough time for all the victims. - Video taping interviews would benefit children so they would not have to tell lay people of abuse.

170 KAREE RECORDS, PARENT OF SEXUALLY ABUSED CHILDREN: Submits and reads written testimony in support of HB 2882 (EXHIBIT E).

300 JACKIE HALL, PARENT OF SEXUALLY ABUSED CHILD: Submits and reads written testimony in support of HB 2882 (EXHIBIT F).

345 MARY BEBE, PARENT OF SEXUALLY ABUSED CHILD: Testifies in favor of HB 288 2. Describes two incidences of sexual abuse on her daughter. The first time there was not a CARES program and it was quite hard on the family. The second time, there was a CARES program which was quite supportive during this intense situation.

TAPE 85, SIDE A

010 RECORDS: Concerned about victims victimizing themselves by feeling guilty, at fault, and low self-esteem. This has affected our entire family.

035 CONNIE JACOBY, CSD: Submits and reads written testimony in support

of HB 2882 (EXHIBIT G).

100 SYLVAN SIMMONS, "STOP IT": Submits and reads written testimony in support of HB 2882 (EXHIBIT H).

218 MARY HELEN SHARRET: MARION/POLK LEGAL AID: Testifies in support of HB 2882. - We provide legal representation in civil matters for Marion and Polk counties' low income population. Our caseloads are so high, we turn down many cases. Consequently, those people have no other alternative than to represent themselves. - Due to the high number of representation requests, we have had to prioritize needs. Our highest priority is to represent families who have suffered from sexual and/or physical abuse.

250 CLIENT: Tells of sexual abuse that happened to her, by two offenders, in Polk county - (a county without trained sexual abuse professionals). - My daughter has had numerous vaginal infections and my son has complained that his bottom hurts. Their father has custody of the children and they all live with the grandparents. - The doctor in my area is unlikely to report a case of abuse and is not trained to do an accurate evaluation. He treats most of my family members and a large number of the people in the community. - So I turned to Marion county who were too busy to deal with out-of-the-county clients. - I did, by chance, get an appointment with a doctor in Marion county; after a two month wait. - The doctor did not find conclusive evidence of abuse. - I have no place to turn. The next time my children come to stay with me and complain of pain, where do I go? How long do I wait?

SHARRET: Concerned about lack of progress in the area of child abuse in Polk county. - Concerned about future clients in other jurisdictions. - Children tell the truth, sometimes they don't disclose information until separation with the perpetrator. - Regional assessment centers would be most beneficial. - All children in the state need access to this remedy - not just those who are on welfare or have the funds to pay for examinations. - For just this one time, my office paid the client's doctor's fee. - There are now, and will be in the future, families needing this service who are unable to pay. - Do not want abused victims to go unserved because of lack of funding.

355 JOHN POWELL, BLUE CROSS/BLUE SHIELD: Testifies on Sections 9 and 10 of HB 2882. - Does not want this to be mandated. - Suggests eliminating Sections 9 and 10 of HB 2882. - Earlier testimony indicated that private insurance companies are not a problem in this issue.

CHAIR FORD: Somebody is going to get billed.

POWELL: We do not believe that Section 10 is necessary unless you are mandating a new service. - Current policy does not base eligibility upon what caused the diagnosable problem. - If it is a diagnosable illness or injury (including mental illness) and the policy covers those under existing law, it would be covered.

402 REPRESENTATIVE MEEK: Would you be amenable that the bill address clarify what is currently being covered?

TAPE 84, SIDE B

POWELL: Need to discuss with legal counsel to see if we agree.

CHAIR FORD: We don't want to add a mandate.

025 REPRESENTATIVE STEIN: Would like more information on the Medicaid reimbursement.

REPRESENTATIVE MEEK: Would like information on the fiscal aspect of this bill, including savings through decreased court time.

MELANIE ZERMER: Will work on some amendments, members can call if they have additional concerns.

Submitted for the record testimony from Peggy Anet (EXHIBIT I) and testimony from Sarah Castner (EXHIBIT J).

ACTING-CHAIR STEIN: Adjourns the meeting at 4:00 p.m.

Submitted by,

Reviewed by,

Pamela Berger

Melanie Zermer

EXHIBIT LOG: A - HB 2398 - Amendments - staff - 3 pp. B - HB 2398 - Hand-engrossed Amendments - staff - 3 pp. C - HB 2399 - Amendments - staff - 1 p. D - HB 2399 - Hand-engrossed Amendments - staff - 4 pp. E - HB 2882 - Testimony - Records - 5 pp. F - HB 2882 - Testimony - Hall - 4 pp. G - HB 2882 - Testimony - Jacoby - 1 p. H - HB 2882 - Testimony - Simmons - 6 pp. I - HB 2882 - Testimony from Anet - Staff - 2 pp. J - HB 2882 - Testimony from Castner - Staff - 1 p.