

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

April 8, 1991Hearing Room D 1:00 p.m.Tapes 108 - 110

MEMBERS PRESENT:Rep. Mary Alice Ford, Chair Rep. Beverly Stein, Vice-Chair Rep. Jerry Barnes Rep. Cedric Hayden (arrived 1:55) Rep. John Meek Rep. Hedy Rijken Rep. Jackie Taylor

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

MEASURES CONSIDERED:HB 2695 - Prohibits AFS from purchasing drugs out-of-state or from reimbursing out-of-state pharmacy unless recipient requires out-of- treatment - PAW HB 2632 - Requires Office of Medical Assistance Programs to revise its drug

acquisition cost data at certain interval - WS HB 3420 - Authorizes assessing contribution of certain community mental health services based on sliding scale of individual or family income for those not eligible for certain state medical assistance or federal programs - PAW

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TAPE 108, SIDE A

010 CHAIR FORD: Calls the meeting to order at 1:32 p.m.

PUBLIC HEARING: HB 2695 - Prohibits AFS from purchasing drugs out-of-state or from reimbursing out-of-state pharmacy unless recipient requires out-of-state treatment Witnesses: Chuck Gress, Oregon State Pharmacists Association Mike Dewey, Portland Retail Druggist Association and Lane County Pharmaceutical Association

010 CHUCK GRESS, OREGON STATE PHARMACISTS ASSOCIATION: Submits and

reads written testimony in favor of HB 2695 (EXHIBIT C).

080 MIKE DEWEY, PORTLAND RETAIL DRUGGIST ASSOCIATION AND LANE COUNTY PHARMACEUTICAL ASSOCIATION: Testifies in favor of HB 2695. - This bill addresses contracting with mail order programs. - This would create waste because of large re-fills people would order. - Discusses and supports proposed amendments (EXHIBIT A).

MELANIE ZERMER: Submits and explains proposed amendments to HB 2695 (EXHIBIT A) and a hand-engrossed version of the proposed amendments (EXHIBIT B).

WORK SESSION HB 2695 - Prohibits AFS from purchasing drugs out-of-state or from reimbursing out-of-state pharmacy unless recipient requires out-of-state treatment

MOTION: REPRESENTATIVE BARNES MOVES ADOPTION OF THE PROPOSED AMENDMENTS (EXHIBIT A).

VOTE: THERE BEING NO OBJECTIONS, THE AMENDMENTS ARE ADOPTED.

REPRESENTATIVE TAYLOR: Declares a possible conflict of interest.

MOTION: REPRESENTATIVE BARNES MOVES HB 2695, AS AMENDED, TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION PASSES UNANIMOUSLY. REPRESENTATIVE HAYDEN IS ABSENT. REPRESENTATIVE MEEK CARRIES HB 2695 TO THE FLOOR.

WORK SESSION: HB 2632 - Requires Office of Medical Assistance Programs to revise its drug acquisition cost data at certain interval Witness: Jean Thorne, OMAP

MELANIE ZERMER: Submits and explains proposed amendments to HB 2632 (EXHIBIT D).

Informational testimony submitted from Chuck Gress, Oregon State Pharmacists Association (EXHIBIT E).

236 JEAN THORNE, OREGON MEDICAL ASSISTANCE PROGRAM (OMAP): Dispensing fees are subject to increases based on the legislative budget. - General cost of living increases for providers are given once a year. The 1991-93 Governor's budget does not provide for cost of living increases for providers (except for hospitals, which is funded through a hospital tax). - Describes federal rebate program (Reconciliation Act). - In response to CHAIR FORD, if we sign a contract to cover a rebate, under federal law, we have to cover the cost of those drugs.

MOTION: REPRESENTATIVE MEEK MOVES ADOPTION OF THE PROPOSED AMENDMENTS TO HB 2632. (EXHIBIT D).

REPRESENTATIVE TAYLOR: Declares a potential conflict of interest.

REPRESENTATIVE BARNES: Would like to see better costing out, but this is a costly bill.

VOTE: THERE BEING NO OBJECTIONS, THE MOTION PASSES UNANIMOUSLY.

MOTION: REPRESENTATIVE MEEK MOVES HB 2632, AS AMENDED, TO THE COMMITTEE ON WAYS AND MEANS, WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION PASSES UNANIMOUSLY.

PUBLIC HEARING: HB 3420 - Authorizes assessing contribution of certain community mental health services based on sliding scale of individual or family income for those not eligible for certain state medical assistance or federal programs Witnesses: Dr. Bob King, Clackamas County Mental Health Dr. Joan Wayland, Child Psychiatrist Stanley Gilbert, DARTS Program, Klamath Falls Pamela Hauge, DARTS Program Kay Easton, DARTS Program Claudia Jones-Cogley, DARTS Program Bob Tovey, DARTS Program Joe Ruzak, DARTS Program Larry Mack, T.F.A. Anger Management Bill Wellard, Springfield Child Center Nancy Gibson, Mid-Columbia Child & Family Jack Michels, Tualatin Valley Mental Health Trish Fox, Tualatin Valley Mental Health Center Gretchen Mills, Tualatin Valley Mental Health Center Robin Mills, Tualatin Valley Mental Health Center Jeff Henderson, Family Friends Day Treatment for Young Children Bonnie Hayes, Washington County Commissioner

Judy Scott, CASA Program, The Dalles Jeff Berine, DARTS Program, The Dalles Mary Jo Finney, DARTS Program

400 DR. BOB KING, CLACKAMAS COUNTY MENTAL HEALTH: Submits and reads written testimony in favor of HB 3420 (EXHIBIT F). - Over time, statistics will vary because of a recent court ruling.

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070 - Discusses possible proposed amendments to HB 3420, included in Exhibit F.

090 MELANIE ZERMER: Submits background information on HB 3420 (EXHIBIT G).

115 KING: Discusses sliding fee schedules and third party payers. - Currently mental health programs encourage seeking reimbursements. - Discusses general fund money for the DARTS programs.

160 STANLEY GILBERT, DARTS PROGRAM, KLAMATH FALLS: Testifies in favor to HB 3420. - Concerned about the negative impact on DARTS programs in rural community . - Concerned about families having to lower their income in order to become Title XIX eligible, or that families may need to choose to give up custody of their child in order to for that child to receive needed services. - There are no other treatment choices for non-eligible families.

259 DR. JOAN WAYLAND, CHILD PSYCHIATRIST: Testifies in favor of HB 3420. - Have done several site reviews of DARTS programs. - Concerned about the loss of DARTS eligibles. - Hard to run a program with low number of clients. - If resources are not available, children would need to leave area causing difficulty in maintaining relationship with family. - Schools would not have money or time to develop resources for these children in need. - Many of the children who will be effected by

the proposed DARTS eligibility standards come from middle class and the working poor. - These families need to work and would not be able to provide home tutoring. - Discusses out-patient services available in Klamath Falls. - Health professionals are concerned about loosing their jobs due to Ballot Measure 5, and many are already looking for work elsewhere. - The clock is ticking, we need to know the outcome of the cuts as soon as possible. - We have three DARTS programs in Klamath Falls: pre-school, child day treatment (K- 6), and an adolescent program.

390 PAMELA HAUGE, DARTS PROGRAM: Testifies in favor of HB 3420. - Daughter is in the DARTS program because of attempted suicide.

TAPE 108, SIDE B

- Impressed how DARTS has helped daughter versus how being institutionalized worsened my problems. - Hard to treat somebody, in six months, who has lived in a dysfunctional family for 15 years. If the eligibility standards change in July, daughter will need to leave, after only six months of treatment. - Treatment received is helping my daughter peel the layers away, of the past 15 years, one layer at a time. - Our family would not qualify for Medicaid.

060 CLAUDIA JONES-COGLEY, DARTS PROGRAM: Submits and reads written testimony in favor of HB 3420 (EXHIBIT H).

111 KAY EASTON, DARTS PROGRAM: Testifies in favor of HB 3420. - Knows that son cannot learn if emotional problem issues are not first met. - Upon placement in DARTS program treatment for entire family began. - Seen great stride in son's behavior. - Son has been able to continue and pass regular high school program. - Without this program, he would not be in school. - We are not able to do home schooling; as a single parent I have to work. - Son is not only danger to self, but to the community. - Mental and emotionally disabling conditions happen to everyone, cuts across all social barriers. - I am considered one of the working poor. - Hate to see services for the children in need be cut.

CHAIR FORD: Recesses the meeting 2:40 p.m. - Re-convenes the meeting at 2:50 p.m.

160 NANCY GIBSON, MID-COLUMBIA CHILD AND FAMILY DARTS PROGRAM: Submits and reads written testimony in support of HB 3420 (EXHIBIT I). - We need programs available for the emotionally disturbed. - Concerned of the cost burden put on schools if these students will no longer be able to receive DARTS services. - Most families do not know how to access needed services for their emotionally needy children.

216 JUDY SCOTT, CASA PROGRAM, THE DALLES: Testifies in support of HB 3420. - CASA volunteers make sure that children receive needed services. - We have referred many children in our area to the Dalles DARTS Program, many of which are Medicaid eligible. - Tells of a six year old sexually abused girl. The school was unable to deal with her problems. She is suppose to start at the DARTS Program today; today she is eligible, if these cuts take effect, she won't be eligible. Can't see writing off a six year old child. She needs these services, as do many other children.

JEFF BERINE, DARTS PROGRAM, THE DALLES: Testifies in support of HB 342 0. - The center in The Dalles was one of the first of the six opened in the state. - Concerned that these children will need to be served by the schools, who may not be prepared to do so. - Cost of attorneys to be included in treatment planning is costly and poor use of resources.

270 JOE RUZAK, DARTS PROGRAM: Testifies in favor of HB 3420. - Serious emotional disturbances does not discriminate against social class, economic status, or gender. - Access to the DARTS Program does discriminate by social class, economic status, or gender. - If DARTS Programs are cut to only accept Medicaid eligibles, it will discriminate.

335 LARRY MACK, T.F.A. ANGER MANAGEMENT: Submits and reads written testimony on HB 3420 (EXHIBIT J).

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- Explains a letter from Mark Gibson, Senate President's Office. Submitted for the record, testimony from LARRY TANG, POLK ADOLESCENT DAY TREATMENT CENTER, INC. (EXHIBIT K).

080 BOB TOVEY, DARTS PROGRAM: Testifies in support of HB 3420. - Support comments from people who have previously testified from the rural areas.

BEVERLY KRAUT, CASCADE CHILD PROGRAM: Testifies in support of HB 342 0. - DARTS should be available to help all children in the community. - Making it Title XIX eligible would only makes it federal program, not a community program.

103 JACK MICHELS, TUALATIN VALLEY MENTAL HEALTH CENTER: Submits and reads written testimony in favor of HB 3420 (EXHIBIT L). - We are the only DARTS program in the county. - Receive referrals from CSD, schools, and others. - We never have exceeded more than 20% Title XIX eligibles in the program. - Neither schools nor the juvenile justice system have adequate resources to help the seriously emotional children. - Serious emotional problems are equally distributed among the population, not only to the poor. - If we lost 80-90% of our clients, the program would not function.

145TRISH FOX, TUALATIN VALLEY MENTAL HEALTH CENTER: Testifies in favor of HB 3420. - The key to the DARTS approach into our program is family focus. - We have a strong belief that families function best when they are kept together. - Emotionally disturbed adolescents, such as our clients, stand the best chance of recovery when they have strong family support.

175 GRETCHEN MILLS, TUALATIN VALLEY MENTAL HEALTH CENTER: Testifies in favor of HB 3420. - Tells of daughter, Robin, who has emotional problems. - Wants family to remain together.

ROBIN MILLS, TUALATIN VALLEY MENTAL HEALTH CENTER: Testifies in favor of HB 3420. - Was an alcoholic and drug addict, as well as involved with gangs. - Tried to kill my family members. - Home life has completely changed. - Mom is not as mean as I thought she was. - I used to use drugs and try to kill myself or someone else. - This is my last chance to get a GED. Tigard High School won't take me back. - Without this

program I would end up how I used to be.

MARY JO FINNEY, DARTS PROGRAM: Testifies in favor of HB 3420. - Has child in DARTS program. - Agrees with all earlier testimony. - Does not matter where we are on the financial ladder, the children need help. - We had tried other methods. - Found that this works because of the family focus. - Daughter has been in the program for just six weeks and already we are seeing improvements. - If she can't continue in the DARTS Program because she won't be eligible, we don't know where we would go for help.

242 BONNIE HAYES, WASHINGTON COUNTY COMMISSIONER. Testifies in favor of HB 3420. - Concerned about Medicaid income limits being proposed. - Concerned about attaching Medicaid eligibility to DARTS programs. - If this happened, it would effect Medicaid, overall. - Washington County believes in youth and early intervention. - This program should not have geographic boundaries. - Washington County is a large contributor to the income taxes to the state. - Suggests that income taxes could be put to better use -- such as DARTS programs. - Concerned about support for sliding fee scale, if not available causing expanded base. - Counties are not in the financial position to make up loss dollars when programs are cut.

303 BILL WELLARD, SPRINGFIELD CHILD CENTER: Testifies in favor of HB 3420. - Cutting DARTS programs would not be a cost savings measure. - The children cut, will surface in other parts of the system. - Treatment in other areas of the system will be less intense and more costly, and often will be in a different area than the child's home. - A child's condition will have deteriorate further before being eligible for other services.

360 JEFF HENDERSON, FAMILY FRIENDS DAY TREATMENT FOR YOUNG CHILDREN: Testifies in favor of HB 3420. - Recently opened a DARTS program for young children. - Agrees with earlier testimony. - Concerned about eligibility for these programs. - Severely disturbed children do not just go away. - Their problems will remain until treated. - Many adults who did not receive treatment are now disturbed parents raising their children in a dysfunctional situation.

WORK SESSION HB 3420 - Authorizes assessing contribution of certain community mental health services based on sliding scale of individual or family income for those not eligible for certain state medical assistance or federal programs

MOTION: REPRESENTATIVE MEEK MOVES ADOPTION OF CONCEPTUAL AMENDMENTS (EXHIBIT F, PAGE 5) TO HB 3420.

VOTE: THERE BEING NO OBJECTIONS, THE MOTION PASSES UNANIMOUSLY, REPRESENTATIVE HAYDEN IS ABSENT.

MOTION: REPRESENTATIVE MEEK MOVES HB 3420, AS AMENDED, TO THE COMMITTEE ON WAYS AND MEANS WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION PASSES UNANIMOUSLY. REPRESENTATIVE HAYDEN IS ABSENT.

Submitted for the record, testimony in support of HB 3420 from Muriel Goldman, Mental Health Association (EXHIBIT M).

CHAIR FORD: Adjourns the meeting at 3:33 p.m.

Submitted by,

Reviewed by,

Pamela Berger

Melanie Zermer

EXHIBIT LOG: A - HB 2695 - Hand engrossed proposed amendments - staff - 1 p. B - HB 2695 - Proposed amendments - staff - 1 p. C - HB 2695 - Testimony - Gress - 5 pp. D - HB 2632 - Proposed amendments - staff - 1 p. E - HB 2632 - Testimony - Gress - 3 pp. F - HB 3420 - Testimony - King - 5 pp. G - HB 3420 - Background informatin - staff - 3 pp. H - HB 3420 - Testimony - Cogley - 2 pp I - HB 3420 - Testimony - Gibson - 2 pp. J - HB 3420 - Testimony - Mack - 3 pp. K - HB 3420 - Testimony - Tang - 3 pp. L - HB 3420 - Testimony - Michels - 3 pp. M - HB 3420 - Testimony - Goldman - 1 p.