

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 17, 1991Hearing Room D 1:45 p.m.Tapes 119 - 120

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

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

MEASURES CONSIDERED:HB 2540 - Risk Assessment - PAW HB 3242 - Certification and regulation of first responders in performing basic emergency procedures - PUB SJR20 - Declare May 1991 to be Smoke-Free Class of 2000 month - PAW

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TAPE 119, SIDE A

010 CHAIR FORD: Calls the meeting to order at 1:47 p.m.

PUBLIC HEARING: HB 2540 - Risk Assessment Witness: Larry Ogelsb y, OJDDA

MELANIE ZERMER: Submits and explains a fiscal analysis on HB 2540 (EXHIBIT

A), proposed amendments to HB 2540 (EXHIBIT B), a hand engrossed version of the proposed amendments (EXHIBIT C), proposed amendments from Rep. Stein (EXHIBIT D), testimony from Pam Patton, Morrison Center (EXHIBIT E), a vulnerability level description (EXHIBIT F), and background information on HB 2540 (EXHIBIT G).

040 LARRY OGELSB Y, OREGON JUVENILE DEPARTMENT DIRECTOR'S ASSOCIATION: Submits and reads written testimony on HB 2540 (EXHIBIT H), which includes proposed amendments. 125 - Explains section 2 of the proposed amendments. Would be more comfortable if the court determined placement of child instead of Children Services Division (CSD).

CHAIR FORD: Points out that often judges opinions vary and maybe consistency regarding placement is needed.

OGELSB Y: Concerned that there are placement cases that courts need to be involved in determination.

REPRESENTATIVE TAYLOR: The basis for serving children needs to be in statute. We need to serve children on need rather than available resources.

OGELSB Y: Agrees.

WORK SESSION: HB 2540 - Risk Assessment Witnesses: Paul Drew, Children Services Division Bill Carey, Children Services Division

200 MELANIE ZERMER: Describes hand-engrossed version of the proposed amendments to HB 2540, section by section (See: Exhibit C).

245 BILL CAREY, CHILDREN SERVICES DIVISION: Discusses section pertaining to

emancipation which CSD does not deal with.

PAUL DREW, CHILDREN SERVICES DIVISION: Describes court jurisdiction connection with CSD.

MELANIE ZERMER: Continues explaining proposed amendments.

REPRESENTATIVE STEIN: Is there a wait list requirement in the bill?

CHAIR FORD: Yes.

314 MELANIE ZERMER: Continues explaining proposed amendments.

DREW: Explains changes in statutes as proposed on page 8, Exhibit C.

MELANIE ZERMER: Continues explaining proposed amendments.

CHAIR FORD: Do you have any objections to Rep. Stein's proposed amendments (See: Exhibit D).

CAREY: No.

REPRESENTATIVE STEIN: Explains proposed amendments to HB 2540 (EXHIBIT D).

TAPE 120, SIDE A

CAREY: Discusses regional needs and budget allocation. - There has been close agreement about location of funds. - When shifting of funds becomes necessary, it will be done gradual and carefully. 072 - Discusses flexibility regarding the cut off age of 19 of CSD's obligation.

100 MOTION: REPRESENTATIVE MEEK: MOVES TO AMEND THE HB 254 0-1

AMENDMENTS (EXHIBIT B) BY INCLUDING REPRESENTATIVE STEIN'S AMENDMENT (EXHIBIT D).

VOTE: THERE BEING NO OBJECTIONS, THE AMENDMENT IS ADOPTED.

MOTION: REPRESENTATIVE MEEK MOVES TO AMEND THE HB 254 0-1 AMENDMENTS, AS AMENDED, IN SECTION 5 LINE 27 BY DELETING THE COMMA AFTER THE WORD "RESOURCES" (EXHIBIT C).

VOTE: THERE BEING NO OBJECTIONS, THE AMENDMENT IS ADOPTED.

MOTION: REPRESENTATIVE MEEK MOVES ADOPTION OF THE PROPOSED AMENDMENTS TO HB 2540.

REPRESENTATIVE TAYLOR: Objects to limiting a judge's ability of referral to CSD based on money, rather than need.

VOTE: THE MOTION PASSES 6-1. REPRESENTATIVE BARNES, REPRESENTATIVE HAYDEN, REPRESENTATIVE MEEK, REPRESENTATIVE RIJKEN, REPRESENTATIVE STEIN, AND CHAIR FORD VOTE AYE. REPRESENTATIVE TAYLOR VOTES NO.

MOTION: REPRESENTATIVE MEEK MOVES HB 2540, AS AMENDED, TO THE COMMITTEE ON WAYS AND MEANS WITH A DO PASS RECOMMENDATION.

REPRESENTATIVE HAYDEN: Suggests that the bill be sent without a recommendation since members have concerns about this bill.

REPRESENTATIVE MEEK: Withdraws motion.

MOTION: REPRESENTATIVE MEEK MOVES HB 2540, AS AMENDED, TO THE COMMITTEE ON WAYS AND MEANS WITHOUT A RECOMMENDATION.

REPRESENTATIVE STEIN: Concerned about the lack of current funds to implement this concept. Hope Mr. Carey will bring this vulnerability scale issue to as many people as he can. Asks Carey to tell Ways and Means the importance of risk assessment and be direct on who and who will not be served.

CAREY: Yes, we will make the vulnerability scale public.

REPRESENTATIVE BARNES: Agrees with REPRESENTATIVE STEIN. Hope we are not sending the wrong message to Ways and Means - we do want funding re-stored. Hopes that CSD has maintained enough flexibility to start re-storing some of the cuts and take care of the children in need. When more money is available, maybe CSD can pick up the slack, without coming back to the legislature.

CHAIR FORD: Agrees with committee members.

VOTE: THE MOTION PASSES 6-1. REPRESENTATIVE BARNES, REPRESENTATIVE HAYDEN, REPRESENTATIVE MEEK, REPRESENTATIVE RIJKEN, REPRESENTATIVE STEIN, AND CHAIR FORD VOTE AYE. REPRESENTATIVE TAYLOR VOTES NO.

PUBLIC HEARING: SJR20 - Declare May 1991 to be Smoke-Free Class of 2000 month Witness: Macy Guppy, American Heart Association, Smoke-Free Class of 2000 Planning Committee

360 MACY GUPPY, AMERICAN HEART ASSOCIATION, SMOKE-FREE CLASS OF 200 0

PLANNING COMMITTEE: Submits and reads written testimony in favor of SJR 20 (EXHIBIT I).

WORK SESSION: SJR20 - Declare May 1991 to be Smoke-Free Class of 2000 month

MOTION: REPRESENTATIVE BARNES MOVES SJR20 TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION PASSES UNANIMOUSLY. REP. CEASE WILL CARRY SJR20 TO THE FLOOR.

PUBLIC HEARING: HB 3242 - Certification and regulation of first responders in performing basic emergency procedures Witnesses: Rep. Bill Markham, District 46 Art Keil, Oregon Health Division Roger Fox, Oregon Health Division Mary Ann Vaughn, Umpqua Community College

280 REP. BILL MARKHAM, DISTRICT 46: Testifies in favor and introduces HB 324 2.

340 ART KEIL, OREGON HEALTH DIVISION: Submits and reads written testimony in favor of HB 3242 (EXHIBIT J). - Introduces Roger Fox. - Explains possible friendly amendment - included in testimony.

ROGER FOX, OREGON HEALTH DIVISION: Explains that (5) lines 19-23 is redundant language.

440 CHAIR FORD: Language is there because we are trying to make statute terminology gender neutral.

KEIL: Then we do not object to the language.

FOX: First responders receive 40 clock hours of basic emergency medical care and EMT 1s receive 110 clock hours which include emergency medical care and transportation training. EMT 4s receive about 1,000 hours of training.

TAPE 119, SIDE B

030 REPRESENTATIVE TAYLOR: It was mentioned that a person could lose their certification if they were habitually using intoxicants or drugs -- is that in the bill?

KEIL: This is not part of this bill, it is already in place under scope of practice.

REPRESENTATIVE HAYDEN: What type of insurance coverage offered for first responders.

FOX: First responders come from a wide variety of organizations (police, fire fighters, etc.) Those doing this as part of their profession, I assume, are covered under employers liability coverage. If they are performing duties out of their job, they would be covered under the good samaritan statutes. A person employed by a private agency (i.e. private ambulance service), would be covered by the employers or individual to malpractice insurance.

060 REPRESENTATIVE HAYDEN: There are many legal ramifications if mistakes are made, a person is revived that the family had requested to be "no code", etc. Also, concerned about retired health servants' coverage when they volunteer their services.

113 Discussion on possible amendment to ensure liability/malpractice coverage to those addressed by Rep. Hayden.

Members offer to co-sponsor HB 3242.

250 MARY ANN VAUGHN, UMPQUA COMMUNITY COLLEGE: Testifies in favor of HB 3242. - Many are first responders. - Discusses inconsistencies on what the general public can do and what first responders are allowed to do (i.e. first responder, not being under scope of practice, cannot administer bee sting allergy medicine, public can). - Course for first responders is \$40 - some pay themselves, some employers pay, others receive grants.

FOX: Oregon Health Division certifies first responders, on a voluntary basis. - Discusses costs for background check for certification. - Discusses training requirements.

TAPE 120, SIDE B

Continued discusses on certification.

ACTING CHAIR RIJKEN: Adjourns the meeting at 3:16 p.m.

Submitted by,

Reviewed by,

Pamela Berger

Melanie Zermer

EXHIBIT LOG: A - HB 2540 - fiscal analysis - staff - 1 p. B - HB 2540 - proposed amendments - staff - 4 pp. C - HB 2540 - hand-engrossed amendments - staff - 8 pp. D - HB 2540 - proposed amendments from Rep. Stein - staff - 1 p. E - HB 2540 - Testimony from Patton - staff - 1 p. F - HB 2540 - vulnerability level description - staff - 8 pp. G - HB 2540 - background information - staff - 4 pp. H - HB 2540 - Testimony - Ogelsby - 4 pp. I - SJR2 - testimony - Guppy - 1 p. J - HB 3242 - testimony - Keil - 2 pp.