

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 29, 1991Hearing Room D 1:00 p.m.Tapes 129 - 131

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

MEMBER EXCUSED: Rep. Cedric Hayden

VISITING MEMBER:Rep. Sam Dominy

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

MEASURES CONSIDERED:HB 3135 - Requires that disabled person parking permit decals be made of durable material - wrk HB 3081 - Prescribes duties for dispensing opticians - paw HB 2956 - Adds nurse practitioner to list of medical personnel permitted to make referrals for physical therapy - paw

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.

TAPE 129, SIDE A

010 CHAIR FORD: Calls the meeting to order at 1:07 p.m.

WORK SESSION: HB 3135 - Requires that disabled person parking permit decals be made of durable material Witnesses: Roger Robinson, Oregon Paralyzed Veterans of America Kelly Taylor, Motor Vehicles Division (MVD) Joan Plank, Motor Vehicles Division Eugene Organ, Oregon Disabilities Commission Dwayne Hostetter, Department of Transportation Peggy Collins, Building Codes Agency

010 MELANIE ZERMER: Submits and explains HB 3135-2 proposed amendments

(EXHIBIT A), HB 3135-3 proposed amendments (EXHIBIT B), recommendation for implementation of a volunteer handicapped parking enforcement program (EXHIBIT C), and an expanded agenda which details the amendments for HB 3135 (EXHIBIT E).

060 EUGENE ORGAN, OREGON DISABILITIES COMMISSION: Discusses durable plastic placards.

091 KELLY TAYLOR, MOTOR VEHICLES DIVISION (MVD): Discusses how to handle a situation when a disabled person is unable to sign for handicapped parking permit.

DOMINY: Suggests letting a legal guardian sign.

JOAN PLANK, MVD: Suggests adding on the form, that the applicant who is unable to sign, to let MVD staff know.

150 MELANIE ZERMER: Explains HB 3135-3 proposed amendments, section by section (See: Exhibit B).

TAYLOR: Discusses possible approaches to having a physician sign that the person is handicapped.

MELANIE ZERMER: Continues explaining the proposed amendments.

240 DOMINY: Discusses temporary permit needs differing from permanent permit needs.

PLANK: Explains temporary permit requirements.

MELANIE ZERMER: Continues explaining the proposed amendments.

REPRESENTATIVE BARNES: Suggests changing "children" to "person" on page 4, line 23 of Exhibit B.

382 PLANK: The only reason that we did not request a \$2 fee increase for placards was because we did not notice the loss at the time we submitted our budget.

TAPE 130, SIDE A

REPRESENTATIVE MEEK: Interested in raising the fee.

CHAIR FORD: If we raise the fee, then the bill will need to be sent to the Committee on Revenue and School Finance - where it may not be passed.

020 Discussion on the low number of disabled placards needed.

060 DWAYNE HOSTETTER, DEPARTMENT OF TRANSPORTATION: Submits examples and explains disabled parking signs (EXHIBIT F). - Discusses the current requirement for reflectorized paint.

ORGAN: The legislative intent for standardization needs to be either in statute or administrative rules. - Discusses federal tax credits which are available for small businesses in order to comply with disabled parking requirements.

200 MELANIE ZERMER: Continues explaining the proposed amendments.

PEGGY COLLINS, BUILDING CODES AGENCY: Discusses the need for language to remain regarding local jurisdiction. - Complaints would be made to the advisory board who then would go to the local jurisdiction. - Discusses decal requirements for parking spaces.

REPRESENTATIVE BARNES: Wonders why PDX is exempt and not others.

CHAIR FORD: The area near the airport is a loading zone - parking is so far away that it would not work.

COLLINS: There is easy access to shuttle buses.

320 ROGER ROBINSON, OREGON PARALYZED VETERANS OF AMERICA: At PDX a disabled person can park in a short term parking space for long term prices. - Submits testimony on HB 3135 (EXHIBIT D). - Explains HB 3135-2 proposed amendments. - Describes a recommendation for implementing a volunteer handicapped parking enforcement program (See: EXHIBIT C).

TAPE 129, SIDE B

CHAIR FORD: Discusses disabled plates.

MELANIE ZERMER: Submits and explains a letter, submitted at the 4/1/91 meeting, regarding a disabled state employee parking in a visitor's parking space, and a response from the City of Salem (EXHIBIT G) which includes a proposed amendment.

CHAIR FORD: Does not think an amendment would solve this problem.

070 MOTION: REPRESENTATIVE MEEK MOVES ADOPTION OF HB 3135-3 AMENDMENTS (EXHIBIT B), ON PAGE 4, LINE 4 DELETE "CHILD" AND INSERT "PERSON", ON LINE 23 DELETE "CHILDREN" AND INSERT "PERSONS", AND ON PAGE 2, LINE 2 REMOVE "DECAL AND".

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

ROBINSON: Discusses problem with language addressing parking privileges for disabled persons that occur on private property.

MOTION: REPRESENTATIVE TAYLOR MOVES ADOPTION OF THE HB 3135-2 AMENDMENTS AND ON PAGE 1, LINE 7 DELETE "THAT OCCUR ON PRIVATE PROPERTY" AND INSERTING A PERIOD AFTER THE WORD "PERSONS".

VOTE: THE MOTION PASSES 5-1. REPRESENTATIVE BARNES, REPRESENTATIVE RIJKEN, REPRESENTATIVE STEIN, REPRESENTATIVE TAYLOR, AND CHAIR FORD VOTE AYE. REPRESENTATIVE MEEK VOTES NO. REPRESENTATIVE HAYDEN IS EXCUSED.

127 MELANIE ZERMER: Discusses inconsistency in statute for minimal fines for parking in the disabled parking space. - Submits statute in error (EXHIBIT H).

MOTION: REPRESENTATIVE RIJKEN MOVES A CONCEPTUAL AMENDMENT TO MAKE MINIMAL FINE \$100.00.

VOTE: THERE BEING NO OBJECTIONS, THE MOTION PASSES.

MOTION: REPRESENTATIVE MEEK MOVES HB 3135, AS AMENDED, TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION PASSES UNANIMOUSLY. REPRESENTATIVE HAYDEN IS EXCUSED. REPRESENTATIVE DOMINY AND CHAIR FORD WILL CARRY HB 3135 TO THE FLOOR.

182 CHAIR FORD: Recesses the meeting at 2:16 p.m. - Re-convenes the meeting at 2:36 p.m.

PUBLIC HEARING: HB 3081 - Prescribes duties for dispensing opticians
Witnesses: Dell Isham, Opticians Association of Oregon Orvin
Drangstviet, Opticians Association of Oregon Ralph Sherman, Opticians
Association of Oregon Bob Keyser, Oregon Optometric Association

Staff submits testimony on HB 3081 from Jean Thorne, Office of Medical Assistance Program (EXHIBIT I).

200 DELL ISHAM, OPTICIANS ASSOCIATION OF OREGON: Submits and reads written testimony in favor of HB 3081 (EXHIBIT J).

250 ORVIN DRANGSTVIET, OPTICIANS ASSOCIATION OF OREGON: Submits and reads written testimony in favor of HB 3081 (EXHIBIT K).

317 ISHAM: This bill does not address insurance reimbursement. It would give us statutory recognition. - Opticians have a responsible position, filling prescriptions for an eye doctor which would be equivalent to a pharmacist filling a prescription. - In Oregon there are no licensing provisions for opticians. - When they perform these function they can't point to state license as in Washington and California. - They need professional recognition for reimbursement purposes and to establish regulations in the future. - The only current law addressing them is in the optometric statute.

DRANGSTVIET: Discusses reimbursement.

CHAIR FORD: Discusses medical mandates statutes.

ISHAM: Discusses insurance reimbursement issues.

TAPE 130, SIDE B

DRANGSTVIET: Discusses insurance reimbursement issues.

ISHAM: Duplicating eyeglasses is prohibit by law, opticians must follow a doctor's prescription. - This bill would establish a chapter or a sub-chapter in the law as a base for us to work from. - Discusses discrimination section of bill.

090 RALPH SHERMAN, LICENSED OPTICIAN: Submits and reads written testimony in favor of HB 3081 (EXHIBIT L).

112 BOB KEYSER, OREGON OPTOMETRIC ASSOCIATION: Concerned about language in section 3 - "eyeglasses" and "spectacles" are essentially the same. Also, wonders what is meant by (on lines 17 and 18) "for the aid or correction of visual or ocular anomalies of the human eye".

130 ISHAM: Not sure if both eyeglasses and spectacles are necessary - took this language from statutes from State of Washington. - The other language is to specify for what purpose the lens is for.

PUBLIC HEARING: HB 2956 - Adds nurse practitioner to list of medical personnel permitted to make referrals for physical therapy Witnesses: Brian DeLashmutt, Oregon Nurses Association Loraine Domine, Oregon Nurses Association Dell Isham, Oregon Association of Naturopathic Physicians Bruce Bishop, Kaiser Permanente

180 BRIAN DeLASHMUTT, OREGON NURSES ASSOCIATION: Testifies in favor of HB 2956. - Was unaware that the physical therapy statute was never amended to address referrals from nurse practitioner to physical therapist. - This was a technical oversight. - Physical therapists were not aware of the oversight.

240 LORAIN DOMINE, OREGON NURSES ASSOCIATION: Submits and reads written testimony in favor of HB 2956 (EXHIBIT M). - Discusses differences in duties for nurse practitioners and physician assistants.

290 BRUCE BISHOP, KAISER PERMANENTE: Testifies in support of HB 2956. - It is highly desirable for nurse practitioners to be able to make referrals to physical therapy. Current law requires a physician's authorization for those referrals to be made.

300 DEL ISHAM, OREGON ASSOCIATION OF NATUROPATHIC PHYSICIANS: Testifies in support of HB 2956. - Submits and explains proposed amendments to HB 2956 which would include naturopathic physicians (EXHIBIT N).

WORK SESSION HB 2956 - Adds nurse practitioner to list of medical personnel permitted to make referrals for physical therapy

MOTION: REPRESENTATIVE BARNES MOVES ADOPTION OF HB 295 6 PROPOSED AMENDMENTS (SEE: EXHIBIT N).

390 CHAIR FORD: Does not have a problem with naturopaths being included. - Concerned about not having this in LC form and that there are no naturopaths present to discuss this. - Asks Isham if he could use other vehicle to adopt his amendments.

ISHAM: Probably.

REPRESENTATIVE TAYLOR: Would like information on naturopathic diagnostic curriculum.

CHAIR FORD: Will find another vehicle for you.

REPRESENTATIVE BARNES: Withdraws motion.

MOTION: REPRESENTATIVE BARNES MOVES HB 2956 TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION PASSES 5-0. REPRESENTATIVE BARNES, REPRESENTATIVE MEEK, REPRESENTATIVE RIJKEN, REPRESENTATIVE TAYLOR, AND CHAIR FORD VOTE AYE. REPRESENTATIVE STEIN AND REPRESENTATIVE HAYDEN ARE EXCUSED. CHAIR FORD WILL CARRY HB 2956 TO THE FLOOR.

WORK SESSION HB 3081 - Prescribes duties for dispensing opticians

ISHAM: Repeats earlier testimony for REPRESENTATIVE MEEK who was not present at the time testimony was given.

REPRESENTATIVE BARNES: Discusses eliminating "spectacles" and "for the aid or correction of visual or ocular anomalies of the human eye".

ISHAM: Explains that "appurtenances" is an important term because it is the frame and nose piece.

CHAIR FORD: This is not a policy issue. 149 - Don't understand why opticians would be included in the optometry statute.

MOTION: REPRESENTATIVE BARNES MOVES TO AMEND HB 3081 BY REMOVING THE WORD "SPECTACLES" ON PAGE 1, LINES 14 AND 17, AND REMOVE "TO THE HUMAN FACE" ON PAGE 1, LINE 17.

VOTE: THERE BEING NO OBJECTIONS, THE MOTION PASSES.

MOTION: REPRESENTATIVE BARNES MOVES HB 3081, AS AMENDED, TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION PASSES 5-0. REPRESENTATIVE MEEK, REPRESENTATIVE RIJKEN, REPRESENTATIVE TAYLOR, REPRESENTATIVE BARNES, AND CHAIR FORD VOTE AYE. REPRESENTATIVE STEIN AND REPRESENTATIVE HAYDEN EXCUSED. REPRESENTATIVE BARNES WILL CARRY HB 3081 TO THE FLOOR.

195 CHAIR FORD: Adjourns the meeting at 3:34 p.m.

Submitted by,

Reviewed by,

Pamela Berger

Melanie Zermer

EXHIBIT LOG: A - HB 3135 - amendments -staff - 3 pp. B - HB 3135 - amendments - staff - 9 pp. C - HB 3135 - recommendations - staff - 14 pp. D - HB 3135 - testimony - Robinson - 2 pp. E - HB 3135 - expanded agenda - staff - 2 pp. F - HB 3135 - parking sign qualifications - staff - 5 pp. G - HB 3135 - letter/amendments - staff - 4 pp. H - HB 3135 - statutes - staff - 2 pp. I - HB 3081 - testimony from Thorne - staff - 1 p. J - HB 3081 - testimony - Isham - 2 pp. K - HB 3081 - testimony - Drangstviet - 2 pp. L - HB 3081 - testimony - Sherman - 1 p. M - HB 2956 - testimony - Domine - 1 p. N - HB 2956 - amendments - Isham - 1 p.