

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.

CONFERENCE COMMITTEE ON SB 510

June 24, 1991Hearing Room B 12:30 p.m.Tapes 1

SENATE MEMBERS PRESENT: Sen. McCoy, Chair Sen. Phillips Sen. Trow

HOUSE MEMBERS PRESENT: Rep. Ford Rep. Stein Rep. Barnes

STAFF PRESENT: Janice Fiegenger, Committee Administrator
Debbie Schieno, Committee Assistant

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TAPE 1, SIDE A

002 CHAIR McCOY: Calls the Conference Committee on Senate Bill 510 to order at 12:42 p.m.

006 JANICE FIEGENER, COMMITTEE ADMINISTRATOR: Outlines both the Senate and the House versions of SB 510 (EXHIBIT A).

025 SENATOR JEANNETTE HAMBY, DISTRICT 5: The Senate strongly feels that the bill is dealing with a population that is equally as vulnerable as children. We feel we should mirror the child abuse statutes. There is a commitment from the Chair of the Senate Judiciary Committee to look, during the interim, at the current reporting and privilege communications statutes.

040 SENATOR SHOEMAKER, DISTRICT 3: Outlines the ORS 40.225 (Privileges). (EXHIBIT B) It is very important to bear in mind that the issue has privileges for the benefit of the patient not the benefit of the provider. Should the patient's communications with the provider be privileged/protected or not? The patients are those who cannot consent to disclosure, which is what they, or their guardian, would have to do in order to waive the privilege. If the patient cannot consent, the nurse taking care of the patient would be prevented from reporting the abuse.

069 REP. FORD: Did the group that wanted the privilege exemption testify for the exemption in the Senate?

073 FIEGENER: No they did not testify.

074 SEN. SHOEMAKER: For other groups that would be protected in the House version, the privilege does not apply when the information reveals that a minor was the victim of a crime, abuse or neglect. The minor cannot give informed consent to waive the privilege. The mentally disabled and developmentally disadvantaged people are in the same position as a minor and should have the same protection.

089 REP. STEIN: Suggested adding language to direct the appropriate committee to review the exemptions and privileges, reporting back to the next legislative session?

103 MOTION: REP. FORD moved to include in SB 510 B-Engrossed language for a review by the appropriate interim committee on the exemptions from reporting abuse and the privilege statutes.

VOTE: Hearing no objection, Chair McCoy so moves.

126 MOTION: SEN. TROW moves SB 510 as amended to the Senate floor and the House floor with a do pass recommendation.

VOTE: In a roll call vote, the motion carries with all members voting AYE.

137 CHAIR McCOY adjourned the conference committee at 12:55 p.m.

Submitted by: Reviewed by:

Debbie Schieno Janice J. Fiegenger Assistant Committee
Administrator

EXHIBIT LOG:

A - Staff background on SB 510 - Staff - 1 page B - ORS 40.225
(Privileges) - Staff - 3 pages