

SENATE COMMITTEE ON HUMAN RESOURCES

Monday April 15, 1991 Hearing Room A 3:15 p.m. Tapes 66 - 67

MEMBERS PRESENT: Sen. Bill McCoy, Chair Sen. Cliff Trow, Vice-Chair
Sen. Paul Phillips MEMBER EXCUSED: Sen. Shirley Gold

MEMBER UNEXCUSED: Sen. Bill Kennemer

VISITING MEMBER: Sen. Jeannette Hamby STAFF PRESENT: Janice J. Fiegenger, Committee Administrator Mike Meriwether, Research Assistant Debbie Schieno, Committee Assistant Andra Woodrum, Page MEASURES CONSIDERED: SB 801-Relating to certain long term care. SB 823-Relating to mental health of senior citizens. SB 824-Relating to mental health of senior citizens. SB 728-Relating to payment for certain long term care.

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 66, SIDE A

002 CHAIR MCCOY: Calls the meeting to order at 3:15 p.m.

PUBLIC HEARING ON SENATE BILL 801 Witnesses: Senator Jeannette Hamby Pam Edens, Oregon Alzheimer's Public Policy Committee Meredith A. Cote, Long Term Care Ombudsman Jim Gardner, Oregon Health Care Association Sally Goodwin, Oregon Assoc. of Home for Aging Joanne Rader, Oregon Health Science University Michael Saslow, South Hills Nursing Home Daniel Desler, State Residential Care Facility Assn. Doug Stone, Senior and Disabled Services Division Barbara Nelson, Mid-Willamette Alzheimer's Assn. Shelley Shurk, Cascade Coast Chapter Senate Committee on Human Resources April 15, 1991- Page 2

013 SENATOR JEANNETTE HAMBY, DISTRICT 5: Testified in support of SB 801. The goal of SB 801 is to give protection and a measure of quality care to one of the most vulnerable groups of individuals in nursing homes, assisted living facilities and residential care facilities. Oregon Law allows these facilities to lock, secure and/or segregate individuals with alzheimers without any special consideration. > No other state allows alzheimer care units and facilities, other than nursing homes. This law should become the benchmark for alzheimer care units across the country, as other state's will be following Oregon's lead. 042 PAM EDENS, OREGON ALZHEIMER'S PUBLIC POLICY COMMITTEE (EXHIBIT A): Testified in support of SB 801 and outlined Exhibit A. 128 MEREDITH A. COTE, DIRECTOR, LONG TERM CARE OMBUDSMAN (EXHIBIT B): Testified in support of SB 801 and outlined Exhibit B. 187 JIM GARDNER, OREGON HEALTH CARE ASSOCIATION: Testified in support of the concept behind SB 801. They are concerned about the general fiscal situation of the SDSD budget and how this might fit. This committee, or the Ways and Means Committee, needs to look carefully at a new mandate in terms of the status of the reimbursement system. 208 SALLY GOODWIN, OREGON ASSOCIATION OF HOMES FOR THE AGING: Introducing Joanne Rader. 213 JOANNE RADER, CLINICAL SPECIALIST IN MENTAL HEALTH NURSING/ ASSISTANT PROFESSOR AT OREGON HEALTH SCIENCE UNIVERSITY: Testified in opposition to SB 801. Her comments relate to alzheimer units in nursing homes. Special care units are the best thing for alzheimer patients, because it is focused on the fact that alzheimer

patient's needs are very different from other residents in nursing homes. > This bill is premature. -The special care units are just evolving. We do not know what the standards of care should be for the alzheimer units. >With the current regulations in place, plus the new OBRA regulations, there is a lot of duplication in this bill.

289 CHAIR McCOY: Is there a basic requirement list? 308 GOODWIN: OBRA which took effect October 1, 1990 requires that nursing facility residents be maintained at the highest practical level. OBRA does not necessarily apply to alzheimer units in other types of facilities, but for licensed health care facilities. It would be a duplication of a federal law that already exists. 356 MICHAEL SASLOW, REPRESENTING SOUTH MILLS NURSING HOME AND MARION RETIREMENT CENTER: Testified in opposition to SB 801. > Both clients realize that part of the motivation for the bill is a legitimate concern for consumer protection. ~ Agreed that this may be premature.

TAPE 67, SIDE A

018 DANIEL DESLER, REPRESENTING THE STATE RESIDENTIAL CARE FACILITY
Senate Committee on Human Resourea April 15, 1991 - Page 3

ASSOCIATION AND GOOD NEIGHB OR CARE CENTERS (EXHIBIT C): Testified in opposition to SB 801 and reviewed Exhibit C.

075 SEN. TROW: Will the bill call for an endorsement? Will it suggest that some standards be put in administrative rules for the care of these people? Maybe more regulation is what is needed.

081 DESLER: You cannot regulate morality on this issue. There are programs working in other communities.

085 SEN. TROW: We are not trying to regulate morality, we want to see that appropriate care is provided.

126 DOUG STONE, PROGRAM DEVELOPMENT UNIT, SENIOR AND DISABLED SERVICES DIVISION: Offers their support of the concept of SB 801.

140 BARBARA NELSON, PRESIDENT MID WILLAMETTE CHAPTER OF ALZHEIMER'S ASSOCIATION: Emphasis of the bill is consumer protection. If these segregated units are not licensed, they should not be advertised as an alzheimer unit. It is not necessary to segregate alzheimer victims. If they advertise as a special unit and charge extra money, it seems there should be some kind of oversight. OBRA rules do not require additional staffing, training or activities for alzheimer patients. 168 SHELLEY SHURK, VICE-PRESIDENT CASCADE COAST CHAPTER, EUGENE: This bill would ensure that the philosophy and minimums would not change.

PUBLIC HEARING ON SENATE BILL 823 AND 824 Witnesses: G.G. Goldthwaite, Commission on Senior Services Jim Davis, Commission on Senior Services Beverly Bettis, Commission on Senior Services Eleanor Michaud, Citizen Mark Spofford, Tualatin Valley Mental Health Rosanne Costanzo, Multnomah County Aging Services Cliff Singer, Geriatric Physician/Psychiatrist Ella Johnson, Mental Health Assn. Jim Gardner, Oregon Health Care Assn. Elizabeth Davis, Commission on Senior Services Nate Davis, Council of Senior Citizens

200 G.G. GOLDTHWAITE, GOVERNOR'S COMMISSION ON SENIOR SERVICES: Testified in support of both bills.

225 JIM DAVIS, GOVERNOR'S COMMISSION ON SENIOR SERVICES (EXHIBIT D):

Testified in support of the bills and outlined Exhibit D. > Offered proposed amendments to SB 823 (Exhibit D). 330 BEVERLY BETTIS, GOVERNOR'S COMMISSION ON SENIOR SERVICES (EXHIBIT E). Testified in support of the bills and outlined Exhibit E. She submitted testimony for LaVerne Moore (EXHIBIT F) Senate Committee on Human Resources April 15, 1991 - Page 4

384 ELEANOR MICHAUD, CITIZEN (EXHIBIT G): Testified in support of SB 823 /824 and outlined written testimony (Exhibit G).

TAPE 66, SIDE B

025 MARK SPOFFORD, TUALATIN VALLEY MENTAL HEALTH (EXHIBIT H): Testified in support of SB 823/824 and outlined Exhibit H.

064 ROSANNE COSTANZO, MULTNOMAH COUNTY AGING SERVICES DIVISION (EXHIBIT I): Testified in support of SB 823/824 and outlined Exhibit I.
112 CLIFF SINGER, GERIATRIC PHYSICIAN/PSYCHIATRIST: In his experience of training/consultation of physicians and health care practitioners, he is concerned with the lack of knowledge and response to the needs of the frail elderly. The problems are so complex and overwhelming they cannot deal with these people. There is a lack of knowledge in dealing with the social service agencies who provide the home services for these people. > Although there is no specific data to support this, it is an extremely cost effective way of intervening in the problems. 160 ELLA JOHNSON, MENTAL HEALTH ASSOCIATION (EXHIBIT J and K): Testified in support of SB 823/824 and outlined Exhibit J. She submitted for the record, testimony from Lee Zeigler Exhibit K. 177 JIM GARDNER, OREGON HEALTH CARE ASSOCIATION: Very supportive of the bills. This is good public policy and it is important to preserve care for patients, providing their independence in the least restrictive setting. 188 ELIZABETH DAVIS, PMCA MINORITY TASK FORCE AND GOVERNOR'S COMMISSION ON SENIOR SERVICES: Urged the Committee to fund the mental health project as in the past, to improve access for the minorities. 197 NATE DAVIS, OREGON STATE COUNCIL OF SENIOR CITIZENS (EXHIBIT L): Testified in support of SB 823/824 and outlined Exhibit L. 227 CHAIR McCOY closes hearing on SB 823 and 824.

WORK SESSION ON SENATE BILL 824

229 MOTION: SEN. PHILLIPS moved to send SB 824 to the Ways and Means Committee with a do pass recommendation.

VOTE: In a roll call vote, the motion carries. Senator Gold was excused. Senator Kennemer was unexcused.

(Tape 66, Side B) PUBLIC HEARING ON SENATE BILL 728 Witnesses: Ruth Shepherd, Long Term Care Task Force Robert Smith, United Seniors

These minutes contain materials which paraphrase and/or summarize datemenb nude during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedinge, please refer to the tapes. - Senate Commhtee on Human Raourca April 15,1991- Page 5

Frank Brawner, Oregon Banker's Assn. Barry Donenfeld, Oregon Assn. of Area Aging Emily Cederleaf, Manufactured Housing Walt Bradford, Senior Services Division

250 RUTH SHEPHERD, LONG TERM CARE TASK FORCE (EXHIBIT M): Testified in

support of SB 728 and gave a broad overview of the bill. Exhibit M.

404 ROBERT SMITH, UNITED SENIORS (EXHIBIT N): Testified in support of SB 728 and outlined Exhibit N.

TAPE 67, SIDE B

039 FRANK BRAWNER, OREGON BANKER'S ASSOCIATION AND OREGON LEAGUE OF FINANCIAL INSTITUTIONS: Endorsed the passage of SB 728. This is a narrowly drawn bill. The eligibility is restrictive. The state receives not only the principle in return, but also the interest. The bill calls for full disclosure to any person indicating a desire to participate. The senior that would be eligible would know that this is a reverse mortgage and there would be payment out of the estate. There should be a way to find a pilot program to prove that the bill will work.

071 BARRY DONENFELD, REPRESENTING OREGON ASSOCIATION OF AREA AGENCIES ON AGING: Testified in support of SB 728. This offers another option for seniors in the state relative to financing long term care. > There is a gap in the language relating to the protection of a spouse, should one member of a couple require out of home placement and the other could continue to live in the home. The cost of the out of home placement could quickly deplete the reserves that this bill will offer. ~ Sections 5(a) and (b) would become statutory roles for area agencies.

104 EMILY CEDARLEAF, MANUFACTURED HOUSING COMMUNITIES OF OREGON: Testified in support of SB 728. They want to confirm Section 2(3), the definition of home, includes a manufactured dwelling. 128 WALT BRADFORD, SENIOR SERVICES DIVISION: Their primary function is the recovery of the assistance from the estate of deceased welfare clients. This program, although they do not have the authority to support it, looks like a good recovery program. 154 SEN. TROW: Do we have good evidence that the program would be used if it is made available?

157 SHEPHERD: We cannot predict. There are a substantial number of senior's whose attitude is that every nickle is going to go to their children, even at the expense of their own health. Although there are other's who have a proud feeling that they will not get on public support and would welcome the use of short term funding.

WORK SESSION ON SENATE BILL 728

249 MOTION: SEN. TROW moves SB 728 to the Ways and Means Committee with a do pass Senate Committee on Human Resources April 15, 1991 - Page 6

recommendation.

VOTE: In a roll call vote, the motion carries. Senator Gold was excused. Senator Kennemer was unexcused.

262 CHAIR McCOY closes the hearing at 5:00 p.m.

Submitted by: Reviewed by: Debbie Schieno Janice J. Fiegener
Assistant Committee Administrator

EXHIBIT LOG:

A- Testimony on SB 801 - Pam Edens, 8 pages B- Testimony on SB 801 - Meredith Cote, 1 page C- Testimony on SB 801 - Daniel Desler, 1 page D- Testimony on SB 823/824 - Jim Davis, 51 pages E- Testimony on SB 823824 - Beverly Bettis, 1 page F- Testimony on SB 823/824 - LaVerne Moore, 1 page G Testimony on SB 823/824 - Eleanor Michaud, 1 page H- Testimony on

SB 823/824 - Mark Spofford, 2 pages I- Testimony on SB 823/824 - Rosanne Costanzo, 2 pages J- Testimony on SB 823/824 - Ella Johnson, 1 page K- Testimony on SB 823/824 - Lee Zeigler, 2 pages L- Testimony on SB 823/824 - Nate Davis, 1 page M- Testimony on SB 728 - Ruth Shepherd, 3 pages N- Testimony on SB 728 - Robert Smith, 2 pages

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 copies of the proceedings, please refer to the tapes.