

SENATE COMMITTEE ON HUMAN RESOURCES

May 13, 1991                      Hearing Room A 3:15 p.m.                      Tapes 91- 94 MEMBERS  
PRESENT: Sen. Bill McCoy, Chair Sen. Cliff Trow, Vice Chair Sen.  
Shirley Gold Sen. Bill Kennemer Sen. Paul Phillips VISITING  
MEMBER: Sen. John Kitzhaber STAFF PRESENT:                      Janice J. Fegener,  
Committee Administrator Mike Meriwether, Research Assistant Debbie  
Schieno, Committee Assistant MEASURES CONSIDERED:                      SB 676-Adolescent  
pregnancy- WS SB 1087-Requires prevention services-WS SB 993-Creates  
Office of Emergency Medical Services-PH/VVS SB 1135-Establishes  
community project grant program-PH/WS SB 795-Revises procedures for long  
term care facilities-PH/WS . 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 91, SIDE A 003 CHAIR BILL MCCOY: Calls the meeting to order at  
3:17 p.m. SB 993 - Health Division Emergency Medical Services & Trauma  
Systems Program PUBLIC HEARING Witnesses: William Long, American College  
of Surgeons Senator John Kitzhaber Michael Skeels, Department of Human  
Resources 016 WILLIAM B. LONG, American College of Surgeons and the  
State Trauma Advisory Board: Submits and reads written testimony in  
support of SB 993 which creates an Office of Emergency Medical Services  
within the Health Division (EXHIBIT A). 108 SEN. CLIFF TROW: In section  
3 (4) of the hand-engrossed SB 993, should it read "biennial" not  
"biannual". (EXHIBIT B) 126 SENATOR JOHN KITZHABER, DISTRICT 23:  
Testifies in support of SB 993 and the concepts embodied in the  
proposal. > We did pass legislation setting up the state trauma system  
and the actual system is operating primarily in the tri-county area. >  
We have reached a point in the costs of health care that we Senate  
Committee on Hu" - n Resources May 13, 1991 - Page 2

need to try to regionalize and focus those services in particular  
institutions that are willing to comply with the requirements of trauma  
center designation. > The concepts embodied in SB 993 will go another  
step towards creating a framework for a statewide trauma system. SEN.  
TROW: Will the bill need to go to Ways and Means? 154 JANICE FIEGENER,  
Committee Administrator: The fiscal statement has not been prepared,  
although they are saying that impact is indeterminate. 171 MICHAEL R.  
SKEELS, administrator, Health Division, Department of Human Resources:  
We are trying to improve the uniformity and quality of the statewide  
trauma system. > Submits and reads written testimony in support of SB  
993 and offers proposed amendments (Exhibit C). 235 SEN. TROW: Did your  
budget anticipate passage of SB 993? SKEELS: We have been following the  
House version of this bill, HB 3529, which had a revenue source proposed  
for additional beer and wine tax. This is not being heard in the House  
and we anticipated, if there were a revenue source, it would come from  
the House side rather than being a budget issue. SEN. TROW: If there is  
no revenue source, how will this affect your budget? SKEELS: Without a  
revenue source, we won't be able to do any of the provisions in the bill  
that deal with payment of uncompensated trauma care. We would be  
eligible for federal monies if the statute is in place. SEN. TROW: Is  
there any reason for this bill to go to Ways and Means? . SKEELS: In my  
opinion, as it is written now, there is no fiscal impact on the  
Department, as long as the Committee understands that we will not be  
able to do any provisions that require new resources. WORK SESSION ON  
SENATE BILL 993 269 MOTION: SEN. TROW moves to change "biannual" to  
"biennial" on page 2, line 13 and to include the amendments proposed by  
the Health Division. > There are no objections. MOTION: SEN. TROW moves  
the amendments in the hand-engrossed SB 993.

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. Senate Committee on Human Resources May 13, 1991 - Page 3

> There are no objections. 287 MOTION: SEN. TROW moves SB 993 as amended to the Senate floor with a do pass recommendation and rescinding the referral to Ways and Means. VOTE: In a roll call vote, the motion carries with all members present voting AYE. (Tape 91, Side A) SB 1135 - People Empowering People Advisory Committee PUBLIC HEARING Witnesses: Jerry Bieberle, Community Action Directors of - Oregon Ellen Lowe, Ecumenical Ministries of Oregon 307 MIKE MERIWETHER, Committee Researcher: Reviews the preliminary staff measure summary explaining what the bill does (EXHIBIT D). 331 JERRY BIEBERLE, Community Action Directors of Oregon: Submits and reads his written testimony in support of the bill because there is a need for additional resources to be used at the local level for human services (EXHIBIT E). 359 ELLEN LOWE, Ecumenical Ministries: Just a few dollars made available to local communities might in turn leverage some meaningful response from federal funds. SEN. TROW: Is there some way to do this without creating another state agency? LOWE: Our member churches throughout the state have found a real receptiveness and creativity from community action agencies at the local level. 421 BEN. PAUL PHILLIPS: Last week, Sen. Roberts testified there are 38 different agencies involved in delivering over 200 different programs. I cannot support this bill. We should be looking at the services and functions of existing agencies rather than creating a new one. LOWE: Perhaps this delivers a different approach and a different message to the Ways and Means Subcommittee on Human Resources. TAPE 92, SIDE A 006 BIEBERLE: We did not draft the bill and it is not our intent to create a commission. We are supporting a notion that an effective way to address the problems of human services is in the community. The more you empower the community to deal - 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. . Senate Committee on Human Resources May 13, 1991- Page 4

with its own problems, the more positive the effect. SEN. TROW: Suggests they work with staff in getting this money out to the communities in some way other than by establishing a commission. (Tape 92, Side A) SB 676 - Adolescent sexual activity, pregnancy & child rearing policy WORK SESSION 031 SEN. TROW: Refers to the changes in the SB 676-2 amendment (EXHIBIT F). FIEGENER: These compromise amendments do not indicate agreement from all the proponents. 057 MOTION: SEN. TROW moves to adopt the SB 676-3 amendment. > There are no objections. FIEGENER: Originally, we had a package of eight bills. One bill was sent to Ways and Means and the rest were consolidated into SB 676 which is the policy statement. > Reviews some of the changes in the amendment made in response to testimony given during the hearing on the bill. 112 SEN. BILL KENNEMER: What does "demonstrated success" mean? SEN. TROW: It would be up to the Department of Education. FIEGENER: Continues reviewing the changes in sections 3 and 4. 157 SEN. PHILLIPS: Goes through the bill and makes suggests amendments. 417 MOTION: SEN. PHILLIPS moves to delete the preamble on lines 3-17 on page 1. SEN. TROW: The preamble gives the reasons for the Act and I prefer to leave it in the bill. SEN. SHIRLEY GOLD: Agrees with Sen. Trow. I am not aware that anyone has challenged the accuracy of that information. TAPE 91, SIDE B 005 FIEGENER: The

concern is whether 18 year olds should be included in the statistics.  
VOTE: In a roll call vote, the motion fails with Senators Gold, Trow and McCoy voting NAY.

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. Senate Committee on Human Resources May 13, 1991- Page 5

037 MOTION: SEN. PHILLIPS moves on lines 8 and 9, page 1, strike "the hazards of". > There are no objection. NOTION: SEN. PHILLIPS moves to insert on line 9 after "failure," sexual activity. SEN. PHILLIPS: Explains what he means by sexual activity. SEN. KENNEMER: Agrees with including sexual activity. Suggests including the language on line 4 of section 1 after "adolescent". > There are no objections to including "sexual activity on line 4. 100 SEN. TROW: Objects to inserting "sexual activity" on line 9. VOTE: In a roll call vote, the motion carries with Sen. Trow voting NAY. MOTION: SEN. KENNEMER moves to insert "when age appropriate" after available in section 1(2)(a). SEN. TROW: Are the people making the motions going to support the bill after it is reworked? SEN. KENNEMER: I concur with most of Sen. Phillips' concerns and I have about four more. If all those objections are met, I would be in support of the bill. 152 MOTION WITHDRAWN: SEN. KENNEMER withdraws his earlier motion. MOTION: SEN. PHILLIPS moves to strike "family life" on line 18, section 1(3). SEN. GOLD: Deleting the words family life is a negative statement. Objects to the motion. VOTE: In a roll call vote, the motion fails with Senators Gold, Trow and McCoy voting NAY. 200 MOTION: SEN. PHILLIPS moves to insert on line 22 after "sexual involvement" the word "adoption". > There are no objections. MOTION: SEN. KENNEMER moves to delete the words "and complete" on line 19 in section 1(3). SEN. TROW: Objects to motion. VOTE: In a roll call vote, the motion carries with Sen. Trow ~ . 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. Senate Committee on Human Resources May 13, 1991- Page 6

voting NAY. 255 MOTION: SEN. KENNEMER moves to insert on line 21 in section 1(3) after "relationships," the word "marriage". SEN. GOLD: To me, family relationships include marriage. There are no objections to the motion. 378 MOTION: SEN. KENNEMER moves to insert "abortion" on line 22 in section 1(3) after the word "adoption" that was added by an earlier amendment. > There are no objections. MOTION: SEN. PHILLIPS moves to insert "parental involvement" after the word "counseling" on line 7, section 1(6). > There are no objections. 409 MOTION: SEN. KENNEMER moves to delete "nurse home visitation" on line 2 in section 1(5) and insert a comma after program, and the words "including the possibility of a public health nurse visitation,...". > There are no objections. TAPE 92, SIDE B 025 SEN. PHILLIPS: What are the incentives listed in section 1 ( 9 )? FIEGENER: The intent was not monetary. MOTION: SEN. KENNEMER moves to delete "increases incentives for" on line 14 in section 1(9) and inserting "encourages". > There are no objections. SEN. PHILLIPS: Expresses his concern that the language in section 1(11) will narrow the focus of the bill. SEN. GOLD: I don't see the language as excluding. SEN. KENNEMER: Questions the availability of funds language on line 23 in section 2 without verification of standards. 121 MOTION: SEN. PHILLIPS moves to insert after "shall" the words "in conjunction with local school districts" on page 4, line 4 of

section 3. Further discussion of the proposed language. MOTION AMENDED: SEN. TROW moves to insert "and effected school districts" after "existing agencies" on line 4, and replace

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. Senate Committee on Human Resources May 13, 1991- Page 7

the "and" with "to" and "expand" with "continue to develop". > There are no objections. 242 MOTION: SEN. KENNEMER moves to delete "school based" on line 9 in section 2(6) on page 4. SEN. GOLD: If the effort is to keep the child in school, then the first choice should be onsite. 275 MIKE BALTER, Task Force on Adolescent Pregnancy and Parenthood: School-based child care is for purposes of getting startup money. MOTION AMENDED: SEN. KENNEMER moves to change the language to "child care, including school-based..." > There are no objections. SEN. PHILLIPS: What does the language in section 4(2) mean? FIEGENER: Explains the intent envisioned by the task force that requested the bill. MOTION: SEN. TROW moves to insert "the problems of" after reducing on line 19. > There are no objections. SEN. KENNEMER: Refers to Section 3(5) and asks if the council members need to be compensated for expenses? 391 BARBARA ROSS, DHR: You limit the participation of rural and low income groups on the counsel. TAPE 93, SIDE A 012 SEN. GOLD: Agrees with deleting (5) and suggests adding language allowing the counsel to raise funds. SEN. PHILLIPS: Suggests leaving it up to Ways and Means. MOTION: SEN. GOLD moves to add language for the counsel to be able to accept and disburse funds from other sources. > There are no objections. SEN. PHILLIPS: Suggests making the language on page 5, line 28 in section 4(3) concerning public and private agencies as broad as possible. 094 MOTION: SEN. TROW moves to change the language on line 30 in Section 4(4) to "working for expansion of services and the improvement and effectiveness of those services". > There are no objections.

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, . Senate Committee on Human Resources May 13, 1991- Page 8

MOTION: SEN. PHILLIPS moves to change "end" on line 4, page 6, to "beginning". > There are no objections. MOTION: SEN. PHILLIPS moves to add a sunset date of 1997. > There are no objections. 142 SEN. KENNEMER: We need to find a way to weed out the successful local programs from those that are not successful. MOTION: SEN. TROW moves to add a (8) to section 2 providing for legislative review of the programs to determine their success and the advisability of continuing to fund them. > There are no objections. 202 MOTION: SEN. GOLD moves to delete "wonderful" on line 16, page 1 in the preamble of the bill. > There are no objections. SEN. PHILLIPS: Reviews his objections for removing the preamble from the bill. MOTION: SEN. TROW moves SB 676 as amended to Ways and Means with a do pass recommendation. VOTE: In a roll call vote, the motion carries with Sen. Kennemer voting NAY. (Tape 93, Side A) PUBLIC HEARING ON SENATE BILL 795 Witnesses: Bernie Thurber, Citizens Coalition for Better Nursing Home Care Kim Danish, Oregon Health Care Assoc. Susan Dietche, Senior and Disabled Services Division Neridith Cote, Long-term care Ombudsman C. J. Hill, Area Agencies on Aging 300 FIEGENER: Reviews the preliminary staff measure summary (EXHIBIT G). 294 BERNIE THURBER, Oregon Legal Services and representing the Citizens

Coalition for Better Nursing Home Care: This bill mirrors the provisions of HB 2693 that came out of last years Governor's Conference on Aging and was referred to Ways and Means because of a large fiscal impact. > The SB 795-2 amendment strengthens the enforcement provisions within the nursing home complaint abuse investigating process (EXHIBIT H) and minimizes the fiscal impact. 339 KIM DANISH, Oregon Health Care Association: The industry

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. Senate Committee on Human Resources May 13, 1991 - Page 9

supports the bill with the amendments. 356 SUSAN DIETCHE, Senior and Disabled Services Division: Reviews the areas in the bill where there is a fiscal impact and refers to the fiscal impact statement (EXHIBIT I). TAPE 94, SIDE A - 030 DIETCHE: Points out from October, 1990, to May, 1991, they averaged between \$8,000 and \$9,000 a month in civil penalty assessments and that would more than offset some of the costs of the bill. 046 MERIDITH COTE, Long-term Care Ombudsperson: Concerned that the bill has to go to Ways and Means on a \$33,000 fiscal impact. > We did offer to compile the tracking system report in the bill for the Senior and Disabled services and that would cut the costs for clerical staff. DIETCHE: I think then the bill should be changed so the quarterly report would be the responsibility of the Long-Term Care Ombudsperson's office. 067 SEN. PHILLIPS: Explains why they cannot avoid having the bill go to Ways and Means. THURBER: The report is to the next legislative session and not a quarterly report. > Reviews how important the reporting requirement is to the advocates. > Further comments concerning the fiscal impact. 120 C. J. HILL, Area Agencies on Aging: We were happy with the bill as it was. We were concerned the fiscal impact would be passed on to us. WORK SESSION ON SB 795 135 MOTION: SEN. TROW moves to adopt the SB 795-2 amendments. > There are no objections. MOTION: SEN. TROW moves SB 795 as amended to Ways and Means with a do pass recommendation and rescind the referral to Judiciary. VOTE: In a roll call vote, the motion carries with all members present voting AYE. Sen. Kennemer is excused. WORK SESSION ON SB 1087 153 FIEGENER: Reviews the preliminary staff measure summary on

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report ~ speaker's exact words. For complete contents of the proceedings, please refer to the tapes. Senab Committee on Human Resources May 13, 1991- Page 10

the bill (EXHIBIT J). 188 PAM PATTON, Morrison Center: Talks about distribution of the proposed amendments to SB 1087 (EXHIBIT K). > The Advisory Counsel to the Mental Health Division's Children and Adolescent section requested two changes to the proposed amendments: on page 3, line 29, add "for children at risk of later development of emotional disturbance" after "services". Also add "for children and their families" after "activities". 220 SEN. TROW: What happens if these programs don't survive the add back process? PATTON: My understanding from Sen. Roberts is this bill is a place saver so in the interim if there are additional funds for services, we could fund the existing programs. There would not be any particular claim on emergency funds. MOTION: SEN. TROW moves to adopt the -4 amendments with the requested changes on page 3. > There are no objections. MOTION: SEN. TROW moves SB 1087 as amended to the Senate floor with a do pass recommendation. VOTE:

In a roll call vote, the motion carries with all members present voting AYE. Sen. Kennemer is excused. 282 CHAIR MCCOY: Adjourns the meeting at 5:59 p.m. Transcribed and reviewed by

Carolynn Gillson Assistant EXHIBIT LOG: A - Testimony on SB 993 - William Long - 34 pages B - SB 993-2 amendment - Health Division and American College of Emergency Physicians - 3 pages C - Testimony on SB 993 - Michael Skeels - 1 page D - Preliminary Staff Measure Summary on SB 1135 - staff - 2 pages E - Testimony on SB 1135 - Gerald Bieberle - 1 page F - SB 676-3 amendment - staff - 6 pages G - Preliminary Staff Measure Summary on SB 795 - staff - 2 pages H - SB 795-2amendment - Citizens Coalition for Better Nursing Home Care - 8 pages I - Fiscal Impact Statement - Legislative Fiscal - 1 page J - Preliminary Staff Measure Summary on SB 1087 - staff - 1 page K - Amendments to SB 1087 - Mental Health Division - 6 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 contents of the proceed ~gs, please refer to the tapes.