

SENATE COMMITTEE ON HUMAN RESOURCES

May 15, 1991 Hearing Room A 3:15 p.m. Tapes 97 - 99 MEMBERS
PRESENT: Sen. Bill McCoy, Chair Sen. Cliff Trow, Vice-Chair Sen.
Shirley Gold Sen. Bill Kennemer Sen. Paul Phillips STAFF
PRESENT: Janice J. Fiegenger, Committee Administrator Mike Meriwether,
Research Assistant Carol Wilder, Committee Assistant MEASURES
CONSIDERED: SB 1069 PHIWS SB 1070 PH/VVS SJM9 PHIWS SJM10 PH/WS SJM19
PH/VVS SB 1101 PH SB 549 WS SB 801 WS

These minutes contain materials which paraphrase and/or summarize statements made during this session. ODIV text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE 97, SIDE A

010 CHAIR MCCOY: Calls the meeting to order at 3:20 p.m. Opens a public hearing on SB 1069 and SB 1070.

SB 1069 AND SB 1070 - SIGN LANGUAGE INTERPRETERS, PUBLIC HEARING

022 SEN. LARRY HILL: Submits written testimony in favor of SB 1069 and SB 107 0 (EXHIBIT A). 112 EUGENE ORGAN, EXECUTIVE DIRECTOR, OREGON DISABILITIES COMMISSION: Supports both SB 1069 and SB 1070. This program will achieve accessibility for Oregon's deaf and hearing-impaired population. Sen te Committee on Human Resources ~
130 CARL GARNER, STATE COORDINATOR, DEAF AND HEARING-IMPAIRED ACCESS PROGRAM, OREGON DISABILITIES COMMISSION: Oregon is moving forward a step ahead of parts of the rest of the country. A national task force looking at educational interpreters identified the need for standards to be set and adhered to by school districts and states around the country. We are moving well along that path with these two measures. There is the need to change the word "notwithstanding" in SB 1070 so we clearly meet the intent. 165 SANDRA GISH, COORDINATOR, INTERPRETER EDUCATION, WESTERN OREGON STATE COLLEGE: Testifies in favor of bills. As academicians we feel as though it defines the relationship between the educational setting and the work place professional standards and what we need to do in the academic setting to meet those standards. The interpreting profession is experiencing rapid growth, more sophisticated responsibilities, and increased accountability. This bill will guide us toward designing curriculum and programs that will help interpreters meet these minimum standards in the state of Oregon. (See Exhibits B-D for written testimony also submitted by interested individuals.)
183 CHAIR MCCOY: Closes public hearing and opens work session on SB 1069 and SB 1070.

SB 1069 AND SB 1070 - WORK SESSION

185 MOTION: Senator Phillips moves the adoption of -1 amendments on SB 1069. VOTE: Hearing no objection, Chair McCoy so orders.
MOTION: Senator Phillips moves SB 1069 as amended to the Floor with a Do Pass recommendation. VOTE: In a roll call vote, the measure carries with all members present voting AYE. Senators Kennemer and Trow were excused. 200 MOTION: Senator Phillips moves the adoption of -1 amendments on SB 1070. VOTE: Hearing no objection, Chair McCoy so orders.

220 SEN. PHILLIPS: Aslcs Eugene Organ and Carl Garner, why do we need this to go to Ways and Means if existing funds are used? Do you see this as a major fiscal impact?

230 ORGAN: I don't see this as a major fiscal impact. With the existing funds that we have in our budget we do not have the funding in order to accomplish this. We would anticipate that we would be seeking funding from other sources, not from General Funds, in order to finance this. We've had some discussions with other state agencies who use interpreters frequently and might be very willing to contribute some funding in order to accomplish this task. Senate Committee on Human Resources February 13, 1991 - Page 3 tv.~ 1~

235 SEN. PHILLIPS: So you need to go to Ways and Means and have that written into your budget so you can establish the network or system to do that? You already have that approval, I think.

240 ORGAN: I think so too. I'm not sure that's absolutely necessary.

242 MOTION: Senator Phillips moves the -1 amendments to SB 1070 be adopted with the rescindment of the Ways and Means referral.

VOTE: Hearing no objection, Chair McCoy so orders. MOTION: Senator Phillips moves SB 1070 as amended with the rescindment of the referral to Ways and Means to the Floor with a Do Pass recommendation.

VOTE: In a roll call vote, the motion carries with all members present voting AYE. Senators Kennemer and Trow were excused. 265 CHAIR MCCOY: Closes work session and opens public hearing on SJM9 and SJM10.

SJM9 AND SJM10 - RELATING TO DISABILITIES. PUBLIC HEARING

277 EUGENE ORGAN, EXECUTIVE DIRECTOR, OREGON DISABILITIES COMMISSION:

Last summer, 300 delegates convened a statewide conference on disabilities in Eugene to look at issues of importance to people with disabilities in the state of Oregon. The majority of those delegates were themselves people who experience a disability. The resolutions which were adopted by that conference included among the top five resolutions this particular piece of legislation, a request that the Oregon Legislature memorialize Congress to equalize social security benefits for people with disabilities. At the present time individuals who are blind have their benefits calculated on a different basis than individuals with other disabilities. We want that kind of equality in Social Security benefits; additionally, they also requested that the Legislature memorialize Congress to remove work disincentives for people who receive Social Security benefits. Mr. Lay, the Chair of our Commission, has been working on the World Incentives Network, has been working with Congress for over a year or more, and he will explain in more detail exactly what the bills do. 305

SEN. PHILLIPS: The Congress just passed the all-encompassing U.S. Disability Act. If this was brought up in 1988, you've been moving this process through and you just had your conference, how do these relate? Do they relate or complement each other? 315

ORGAN: The Americans with Disabilities Act does not relate to the Social Security system at all. 320 SCOTT LAY, CHAIR, OREGON DISABILITIES COMMISSION, AND CHAIR, WORK INCENTIVES

NETWORK: Submits written testimony in favor of SJM9 (EXHIBIT E). The Conference on Disabilities told the Commission to address this issue and the Senate Joint Memorials are how we are doing it. Presently a person with a disability who is receiving . .

security income or Social Security disability insurance has a very difficult time going to work because of the regulations that they must work under. The regulations for persons who have disability with blindness are much more beneficial but yet they are delegated only to the persons who are blind. What we are asking under SJM9 is that these beneficial regulations be given to persons with non-blindness disabilities as well. If these statutes were changed, myself and many others could find employment possible which now we find very impractical and would allow us to go to work, improve our lifestyles, and start paying taxes back into the system instead of just receiving benefits. On SJM10 there are a variety of issues facing persons with disability that we would like to see addressed by Congress. They include, in addition to work disincentives, barriers to marriage for persons who are receiving benefits. If they get married, they start losing money. Also many of the statutes and regulations for the various federal agencies are in direct conflict with each other. If you have a program going with the Social Security Administration, you may be in direct conflict with HUD regulations and therefore not be able to live in HUD housing. So we're asking that you memorialize Congress to try to remove these barriers to basic independence and choice of lifestyles.

355 SEN. PHILLIPS: ON SJM9 I heard you to say that the disability issue in the case of blindness is higher than other disabilities.

365 LAY: That is accurate. The method of calculation of benefits is much more beneficial and ends up giving much higher benefits. By benefits we're not only talking about cash assistance; we're also talking about maintenance of Medicaid which is very important to most disabled people.

367 SEN. PHILLIPS: And that's where it ties into the employment issue too, isn't it?

369 LAY: That's correct.

370 SEN. PHILLIPS: What happens if we are to make all the benefits or the calculations equal and instead of raising them to the higher standard, they lower everybody's to the lower standard. I realize that this politically is probably not a reality, but practically the way I read this there's nothing that would prevent that from happening.

375 LAY: I believe in the amendments that we are requesting it does talk about the calculations which result in the higher level of benefits. So we have discussed that issue and addressed that issue and we feel that it doesn't eliminate the possibility that it will happen. But I think you're correct by saying politically with the power that is now becoming noticed by Congress of not only the blind lobby but also the lobbies for other disabilities that I don't think that would happen.

380 SENATOR TROY: Is there likely to be any opposition to this from those who lobby for blind individuals?

390 LAY: At the beginning there was some opposition because they felt that we were asking that their benefits be brought down to ours. Once they understood that we were asking that ours be raised up to their calculation levels, they were in strong support.

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397 SEN. PHILLIPS: The naysayers of the world because we're not
necessarily talking about benefits and financial sense won't be able to
say that this is a bad idea because it will bankrupt the country and
will cost so much money it's almost an enhancement to encourage people
toward independent lifestyles and jobs. That's the rebut to that
criticism.

415 LAY: That is very accurate. If the regulations and statutes stay
the same most people with disabilities will stay on the system and not
go to work and not pay taxes. The cost will only increase by more people
coming on to the system. If the changes were made indeed some of us
might continue to receive benefits such as Medicaid but we also will be
paying back into the system through our taxes. Studies have shown that
if you like your lifestyle and are working, you will have less cause to
need Medicaid. Your health will be better.

420 SEN. TROW: Does the resolution speak to one of the problems you
mentioned and that is some of the rules that get in the way of marriage
and other things?

425 LAY: SJM10 talks about it. SJM9 only talks about work disincentives
under the Social Security Act.

427 CHAIR MCCOY: At one time could a person get married and still
receive both of their benefits?

433 LAY: They might have equalized the benefits but there is still a
disincentive because once you get married your benefits are based on
total household income. For example, if two people on SSI wanted to get
married, if it were just one individual their benefits would be based on
\$407. If two people on SSI wanted to get married, their benefit rate
would be based on \$605 so it only goes up half again for two people.
That's the disincentive to marriage.

445 CHAIR MCCOY: Closes the public hearing on SJM9 and SJM10 and opens
a work session.

SJM9 AND SJM10 - WORK SESSION

003 MOTION: Senator Phillips moves the adoption of the -1
amendments to SJM 9. VOTE: There being no objection, Chair McCoy so
moves. MOTION: Senator Phillips moves SJM9 as amended to the Floor
with a Do Pass recommendation. n. VOTE: The motion carries
with all members present voting AYE. Senator VOTE: The motion carries
with all members present voting AYE. Senator Kennemer was excused.
MOTION: Senator Phillips moves the adoption of the -1 amendments to
SJM10. VOTE: There being no objection, Chair McCoy so moves. Senate
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MOTION: Senator Phillips moves SJM10 as amended to the Floor with a
Do Pass recommendation. VOTE: The motion carries with all members
present voting AYE. Senator Kennemer was excused.

030 CHAIR MCCOY: Closes the work session on SJM9 and SJM10 and opens a
public hearing on SJM19.

TAPE 98, SIDE A .

S.1M 19 - RELATING TO OLDER CITIZENS AND DISABLED INDIVIDUALS, PUBLIC HEARING

035 EUGENE ORGAN, EXECUTIVE DIRECTOR, OREGON DISABILITIES COMMISSION: Appearing in support of this legislation on behalf of Oregonians for Independent Living. They were unable to attend today because of other kinds of commitments and asked that I speak on their behalf. This is a memorial to Congress dealing with benefits for people with disabilities. This too deals with the marriage disincentive issue which was just addressed in one of the preceding memorials. This has been a concern for a long period of time and has been discussed in this body and in Congress over the past four to six years. The second thing this particular piece of legislation does is that it affords individuals with disabilities who receive SSI benefits the opportunity to select their own type of provider and care when they receive those benefits under the Title XIX waiver. We are in support of this legislation. 061 CHAIR MCCOY: Closes the public hearing on SJM19 and opens a work session.

SJM19 - WORK SESSION

065 MOTION: Senator Phillips moves the adoption of the -1 amendments to SJM 19. VOTE: Hearing no objection, Chair McCoy so moves. MOTION: Senator Phillips moves SJM19 as amended to the Floor with a Do Pass recommendation. VOTE: In a roll call vote, the motion carries with all members present voting AYE. Senator Gold was excused.

080 CHAIR MCCOY: Closes the work session on SJM19 and opens a work session on SB 549.

SB 549 - RELATING TO CAREGIVERS IN ADULT FOSTER HOMES. WORK SESSION

081 JANICE FIEGENER, COMMITTEE ADMINISTRATOR: The amendments were what the committee discussed at the last work session. We had a lengthy, fine-tuning drafting session with Senate Committee ~ Haman Reaures February 13, 1991- Page ~

Kathleen Beaufait and there were some other changes that she requested. Regarding SB 549, -7 amendments, on p. 2, Section 3, the section dealing with substitute caregivers. The committee had requested that we give SDSD rulemaking authority and that we not get into the specifics in terms of the courses except to state that no person may provide care prior to acquiring education or supervised training. But SDSD, after consultation, will develop the rules. This section does only apply to Senior Disabled Services Division. After the last work session, we found out some portions of this bill were not really appropriate to the Mental Health and Developmental Disabilities Division. They are written into a certain portion of the bill that applies to licensing and civil penalties, but the bill had been prepared by the aging advocates. It has a lot of references to the Long-Term Care Ombudsman. The Mental Health and Developmental Disabilities has another bill that we passed out of committee and has just passed out of Judiciary that addresses this population. On p. 3, Section 6, Kathleen Beaufait made some minor changes. This is when a resident dies or leaves adult foster care for medical reasons and indicates in writing the intent not to return. The provider shall not charge for more than seven days. On p. 3, line 18 we originally had reference in the bill to Christian Science Practitioner. Legislative Counsel believed that we did not want to say, only

"Christian Science Practitioner". There could be other religious practitioners and there have been some recent federal court rulings so that's why we just have "practitioner" in the bill. On the bottom of p. 3, this was language regarding under what circumstances a resident can be transferred. There must be thirty days' written notice with some exceptions like a medical emergency, including but not limited to a resident's experiencing an increase in level of care needs or engaging in behavior that poses an eminent danger to themselves or others. There is also an additional clause that says that in those cases the provider shall give the resident written notice as soon as possible under the circumstances. The next change is on p. 6, Section 7, on the first clause, lines 14-19 applying to Mental Health and Developmental Disabilities Division who are required to develop rules for complaint investigation but the rest of the portion of that section on complaint investigation does not apply to them. On p. 7, Section 8 is the same. On p. 11, regarding civil penalties not to exceed \$500. The bill originally said that if there's a violation that you had to eliminate that violation or solve the issue within 30 days. It may not be possible to address the violation within 30 days, so Section B says, "The Director may approve a reasonable amount of time in excess of 30 days if correction of the violation of 30 days is determined to be impossible."

172 CHAIR MCCOY: You cannot operate a home or resident facility without getting the Fire Marshall's O.K. before you open the door.

175 FIEGENER: But this has to do with a violation. The Fire Marshall also brought this to our attention, that there may be some situations where it could take longer than 30 days. On p. 12, the bill of rights, the changes are conforming language to earlier portions of the bill. On p. 13 the typed-in portion is something added after the work session at the request of the sponsors of the bill. This says, "the Department shall conduct a hearing and issue the fine within 180 days after the hearing request".

200 MOTION: Senator Trow moves the -7 amendments into SB 549.

VOTE: Hearing no objection, Chair McCoy so moves. Senate Committee on Human Resources February 13, 1991- Page 8

MOTION: Senator Trow moves SB 549 as amended to the Floor with a Do Pass recommendation with conceptual amendments as stated on p. 11 and with rescindment of subsequent referrals to Judiciary and to Ways and Means. VOTE: In a roll call vote, the motion carries with Senator Kennemer voting NAY. Senator Phillips was excused.

262 CHAIR MCCOY: Closes the work session on SB 549 and opens work session on SB 801 .

SB 801 - RELATING TO ALZHEIMER'S PATIENTS CARE, WORK SESSION 273

FIEGENER: At the public hearing there was some testimony in opposition because this might be premature, particularly because the Federal Budget Reconciliation Act had made some significant changes and we wouldn't know what the regulations were at this point. The bill has been amended that during the next biennium there is a registry of all separate Alzheimer's units and the SDSO would develop rules during this period in coordination with advocates. The actual endorsement would not take place until 1993. For the next biennium there is a \$3,000 fiscal impact. It would be about \$50,000 for 1993 - 1995.

300 SEN. GOLD: What does an endorsement mean as used in this bill?

310 FIEGENER: The endorsement means that Senior Services would determine that the facility meets their standards for quality of care.

317 SEN. GOLD: Does the amended bill still call for a separate Alzheimer's unit?

320 FIEGENER: Yes, it does. It says if you are going to have a separate Alzheimer's unit you would need to have this endorsement.

322 SEN. GOLD: Could one continue to care for Alzheimer's patients without having a separate unit? 325 FIEGENER: Yes, this only applies to facilities that want to have advertising saying that they have a separate locked unit. You could still integrate.

330 MOTION: Senator Trow moves to adopt the -1 amendments to SB 801.

340 SEN. GOLD: Could Janice review for me once more what the amendments do?

342 FIEGENER: I think Pam Edans might be the appropriate person since she designed the bill. 345 PAM EDANS, CHAIR, OREGON ALZHEIMER'S PUBLIC POLICY COMMITTEE: Section 1 has SDSA establish a registry for Alzheimer's care unit. The goal is to find out what homes have them, how many patients are in them, and what condition and what stage of dementia the individuals are at. On old line 4, the date of implementation has been changed to June 1, 1993, instead of June 1, 1992. On the old line 7, it takes out the Health Division as being the enforcement agency. This makes it so that Senior and Disabled Services Division is the Senate Committee on Human Resources February 13, 1991- Page 9

enforcement agency. When rules are being put together, between lines 7 and 8, it states that there will be input from both the industry as well as the advocate groups. At the top of p. 2 there's a new definition of facility. The old definition didn't work for this bill. So instead it states very clearly it's a nursing home residential care facility, assisted-living facility, or any other like facility required to be licensed by the Senior and Disabled Services Division.

367 SEN. KENNEMER: Would that include nursing facilities that are already under OBRA supervision?

370 EDANS: Yes, the current legal language is "nursing home". The current lingo is "nursing facility", and so for this law we needed to write in "nursing home". There's some changes between the Health Division and Senior and Disabled Services Division and a new paragraph C defining what the registry would do, meaning we'd be datagathering.

378 SEN. GOLD: There would be nothing in this legislation that would prohibit the other kind of Alzheimer's care?

380 EDANS: This is just for those facilities that choose to lock-secure and segregate Alzheimer's patients. And just make sure that there's quality care inside that section.

396 (A motion was previously made to adopt the -1 amendments.)

VOTE: Hearing no objection, Chair McCoy so moves.

397 SEN. KENNEMER: I have some concern about the facility definition.

As I understand it, long term care facilities are supervised under OBRA and it seems like we would have redundant rules here. MOTION: Sen. Kennemer's proposes an amendment that would read, "A facility does not include a long-term care facility as defined by ORS 442.015(13b) that would exclude them". SALLY GOODWIN, DIRECTOR, OREGON ASSOCIATION OF HOMES FOR THE AGED: Our position is that we would like to see nursing facilities exempted from this and the reason is because OBRA 90 which is the most recent nursing home reform requires, "facilities are required to attain or maintain the highest practical physical, mental, and psycho-social well being of each resident". If you look at what the bill is going to insure, it says under Sub 2, 3rd paragraph, "shall adopt rules that assure the special needs of any Alzheimer's patient or resident who is cared for in the special unit are met and that quality care is provided". The reason we would like to see the licensed nursing homes exempted is because OBRA is already requiring that the highest practical physical, mental, and psycho-social well-being of each resident be maintained by the facility. We believe that this duplicates federal law and in fact will drive the cost of providing care in these facilities up.

TAPE 97, SIDE B 040 SEN. TROW: Yesterday the Education Committee had an interesting lesson in interpretation of law and we had two words. One was "precatory" and the other was "mandatory". It seems like in the OBRA law when they talk about each resident being treated to their absolute needs and Senate Committee on Human Resources February 13, 1991- Page 10

do a good job with each resident, that's "precatory", which means that's wishful thinking. That's what they hope would happen; they know it doesn't. What we have in here is more "mandatory", and I think we need some mandatory rather than precatory.

052 GOODWIN: I think it's unfortunate that when we write law we can't be assured that what we intend is exactly what will happen because I think the same thing could be said for some of the pieces of legislation that the state has passed. Good wishes do not necessarily equate with good quality.

060 SEN. KENNEMER: Do your facilities take that OBRA standard seriously or do you see it as wishful thinking?

064 GOODWIN: We certainly do take it seriously and so does SDS. As evidence, I would suggest that the number of civil penalties that have been passed in recent months since OBRA 87 and now OBRA 90 became effective has absolutely skyrocketed. It is a serious direct mandate by the federal government and it will be addressed.

067 EDAN: Verbally, you stated an amendment. I have not had a chance to study this. Most individuals agree with me that defining long-term care facility by law right now is a very difficult process when you look at the laws and you equate it to the new services. I cannot comment on 442.015(13b) until I read it. My understanding is that it probably means that it would rescind or take out nursing homes or nursing facilities from being covered.

097 SEN. KENNEMER: It would take out "long-term nursing care facilities".

100 EDAN: My response is that I believe that all facilities that choose to lock, segregate, or secure individuals with dementia who cannot care for themselves or speak for their own care needs no matter the site, and

in Oregon we license them in nursing facilities, in assisted living facilities, and in residential care facilities, that all sites mandate the minimum basic standard. I personally and the committee that brings forward this bill are against this amendment.

110 SEN. KENNEMER: So you would be in support of duplicative and contradictory kinds of requirements then because as I understand Miss Goodwin's testimony she's saying this is already covered.

120 EDAN: OBRA currently does not cover when individuals with dementia are secured, locked, or segregated together. They do cover those individuals who are integrated, as Senator Gold was speaking of.

125 SEN. KENNEMER: But OBRA requires that best regard for each individual be considered without regard for their location. We should not say that it's a higher standard.

127 EDAN: OBRA is a higher standard. As Miss Goodwin pointed out, it's in the process of being implemented. That is one of the reasons why the date of 1993 was pushed back from 1992 so that we can all fairly evaluate where we are with regard to OBRA. It is known that OBRA is in place. There is not any specialized care or quality care going on in the two facilities I visited the past three weeks.

These minutes contain material 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. Senate Committee on Health Services February 13, 1991- Page 11

140 SEN. KENNEMER: Would that be exempted under my proposal?

142 EDAN: Yes, it would. There are some excellent facilities out there. This bill states that there be some minimum basic standards such as minimum basic training of the staff in dementia, that activities be addressed, social services being addressed in a way that is specific for that group that has been secured, locked or segregated.

155 SEN. GOLD: Are there statutes or rules in place right now regarding secured units?

170 SUSAN DIETSCH, MANAGER, PROGRAM ASSISTANCE SECTION, SENIOR AND DISABLED SERVICES DIVISION: We are not the section that actually does the survey and licensing for nursing facilities but we do develop the policies and rules. The standards that are established for nursing facilities apply to all residents that live in a nursing facility in this case. This particular bill was developed by some advocates because in the context of ordinarily operating nursing facilities some facilities as well as some residential care facilities and adult foster homes set themselves out to have specialized Alzheimer's care. The original testimony talked about this bill in part being for some consumer protection so that if people were purchasing services that were specialized Alzheimer's care at least there would be some standard or that they knew what they were getting was different from integrated services. We currently survey nursing facilities as integrated facilities and have no special standards for a unit that is segregated. This bill would attempt to say that if you do segregate clients at least it ought to meet some standards. 194 SEN. TROW: We've been having some comment about OBRA 90 legislation which says that each resident will be

given a maximum amount of treatment to meet the needs. If that's happening in all these facilities, then doing what's required here of those facilities wouldn't be ~ any burden on them, would it?

202 DIETSCHE: I think that's correct. My understanding of OBRA is that it would apply to an integrated facility and the goal of the advocates would be that the residents with Alzheimer's disease would be in integrated facilities. What's occurred is that some nursing facilities and some residential care facilities have set aside special segregated units and the rules if they apply could be the same. But since they set themselves out to do something different for those residents the goal would be to establish standards or at least to talk about what would be different about those units. If they're integrated into the facility this statute would not apply. If they set themselves as separate, then it would apply.

215 SEN. TROW: So the OBRA rules do not apply to the separate facility.

217 DIETSCHE: That's my understanding. We could do that without the statute and decide within the state if that were a policy direction by you people to say that if they're going to be locked units we establish standards for that.

220 SEN. TROW: If we excluded these people from the definition of facility, then when we ask them basically to be part of the registry they wouldn't then have to do that.

225 DIETSCHE: That would be right. I think the intent of the bill was if people set themselves out to have a special unit that they have to say that and say that what they do makes them special. Since it primarily applies to nursing facilities, that would make the bill meaningless. . . . These minutes contain materials which paraphrase andlor summsrlze rtaternenta made during this seesion. Only text enclosed in quotation marks report a spealcer's exact words. For complete contents of the proceedi IgB, please refer to the tapes. . . . Senate Committee on Human Resources February 13,1991- Page 12

230 SEN. GOLD: What is it that is mandatory?

235 DIETSCHE: We would get together with people who understand Alzheimer's treatment and care and who operate programs with the people who do that and experts, and establish some kind of standards or policy for that kind of service in our state. We would do that in this biennium for segregated units. If people chose to have a segregated unit which generally means locked ward, then there would at least be some standards for that so that if people chose to buy that service both in the public and private sector there would be some protection that they would know what they were buying if they were buying that. The registry says that if you set yourself out, you have to indicate that you're doing that.

250 SEN. TROW: And then provide some information.

253 DIETSCHE: And provide some information about it. The expectation would be that next biennium either we would know a lot more and could decide to have separate licensing or separate certification or nothing, or something more substantive than the registration. At this time, it would be that you announce that that's what you do and what you do for the protection of consumers and that a committee or task force meet to try to establish standards during the biennium.

260 SEN. MCCOY: Even in the integrated homes the fee is usually higher for Alzheimer patients?

262 DIETSCHE: That's not my understanding. My understanding is that the fee is higher if it's a segregated unit. Sometimes that fee isn't higher either. It could be the same and be segregated but some facilities set themselves out to specialize in Alzheimer's care in a segregated unit.

265 SEN. GOLD: If this were passed would you see this biennium as establishing definitions and understandings of what this is?

272 DIETSCHE: That's correct. If we're going to allow segregated units in the nursing homes in this state, what should the standards be for specialized care?

277 SEN. KENNEMER: Do you encourage different kinds of treatment for Alzheimer's patients? Do you have any separate rules regarding the treatment of Alzheimer's patients?

279 DIETSCHE: No.

280 SEN. KENNEMER: Why is that? 283 DIETSCHE: Our rules apply to residences in nursing facilities based on the needs of the individual residents, but not distinguished by diagnosis.

284 SEN. KENNEMER: So yours are consistent with the OBRA 90?

285 DIETSCHE: Our goal would be that our standards and our survey process be consistent with OBRA.

286 SEN. MCCOY: And with these standards if they were put into effect. - Senate Committee on Human Resources February 13, 1991 - Page 13

290 DIETSCHE: These standards would also have to comply with those standards. The issue is whether you can segregate and lock a group of residents and if you do that does the consumer have a right to know why they might be having their person go into a special unit.

292 SEN. TROW: That's happening now? People are being segregated and they're being lock in. Is that permissible under OBRA?

295 DIETSCHE: I'm not positive exactly how that's interpreted at the moment.

298 SEN. TROW: That's a big question mark. So this would bring some clarity. 300 DIETSCHE: Locking up is a form of restraint or it may be part of the security of the facility.

305 SEN. KENNEMER: What is the policy for facilities regarding the segregation and locking up of patients?

307 GOODWIN: Our facilities vary. We have some that do have Alzheimer's units that have a very good reputation and segregate some of the Alzheimer's patients. We have other facilities that have found that integrating is a very good approach to use for most Alzheimer's patients. There is a very large number of the population in nursing homes that has some degree of dementia and at what point you would consider segregation appropriate would vary.

315 (Motion previously made by Sen. Kennemer to replace 7(b) on p. 2 of the bill.)

VOTE: In a roll call vote, the motion fails with Senators Kennemer and Phillips voting AYE.

MOTION: Sen. Trow moves SB 801 as amended to the Floor with a Do Pass recommendation.

352 SEN. GOLD: It's my understanding after the testimony we've received and the questions that we've asked that what we're doing is providing an opportunity in the coming biennium for arriving at a knowledge of what these separate Alzheimer's care units are and devising some kind of standards and rules. That's all that we're doing. If we choose to do more than that, this bill does not do that. My concern here is mandate.

367 EDANS: Basically, the bill first has any facility that has an Alzheimer's care unit would register with SDS, and the second part of the bill is to design rules and basic standards for Alzheimer's care units, and third by June 1, 1993, those units that meet those standards get an endorsement which allows them to advertise, to be able to be vocal to the public about the good care that they're providing.

380 SEN. GOLD: And those standards that would be devised would have to be keeping with the federal law?

385 EDANS: Federal laws, state laws, as well as the industry and advocates working together for basic minimum standards. - Senate Committee on Human Resource~ February13,1991-Page14

388 SEN. GOLD: Would you get back to what is expected for each patient now?

390 EDANS: Each patient now as well as how that is different when many of the patients with dementia are in locked units.

392 SEN. KENNEMER: So we're going to create a registry, we're going to create rules, and we're not going to have a financial impact. Is that correct?

395 FIEGENER: The fiscal impact that SDS has given this bill for the biennium is \$2,000 in the General Fund. 400 SEN. GOLD: I personally happen to know of some very fine segregated units and I personally know of some not fine segregated units, and I know of some great integrated units and some that are not. I'm more than willing by this bill to get it definitions, etc., but I'm not particularly interested in putting on those who do well greater activity than they need because they're already doing a fine job. 422 (Motion previously made by Sen. Trow to move SB 801 as amended to the Floor with a Do Pass recommendation.)

VOTE: In a roll call vote, the motion carries with Senators Kennemer and Phillips voting NAY.

SB 1101 - LICENSING AND INSPECTION STANDARDS FOR ADULT FOSTER HOMES, PUBLIC HEARING

TAPE 98, SIDE B

035 HALDEN RITZ, ADULT FOSTER HOME PROVIDER, CLACKAMAS COUNTY:
Submits and summarizes written testimony in support of SB 1101 (EXHIBIT

I;). 125DOREEN BRYANT, ADULT FOSTER HOME PROVIDER, CLACKAMAS COUNTY: I have been an owner-operator of an adult foster care home since 1985. I leased a home to open a second adult foster care home. When I applied for a license for new home, I was informed that I had to have a permit from the Soil and Septic Department of Clackamas County. This house has a 1,000-gallon septic tank and a drain field that is up to code; however, they want me to add another 1,000-gallon septic tank and an additional drain field because I have five little old ladies and myself living there. I have discussed this with them and explained that if there were a problem with the septic, I would expect to have it fixed or replaced as any normal family home would do, but it is not broke and why should I be discriminated against just because I care for the elderly. Another provider in Clackamas County bought a home and later found out that the septic system was in need of being replaced. She and her neighbor or both needed to replace their systems. As they were checking it out with the Soil and Septic Department of Clackamas County, they were told that because she had an adult foster care home she would have to replace the existing system with double the size that her neighbors would have to replace theirs with. This is just another manner of discrimination against adult foster care homes. . Sen tee Com-iltece e Hum~n Re~ourcee February 13, 1991- Page 15

165 SEN. KENNEMER: Essentially, they were being asked to meet commercial standards and that's inconsistent with the notion that we've had with the foster homes and that we were going to accept these as integrated within our communities as local residences and that we were going to not treat them as commercial facilities and not add all of these unnecessary expenses and regulatory burdens to them. Another foster care home is on the sewer line and there's been an effort to assess them at a commercial rate rather than a residential rate.

175 SEN. TROW: In the instance of either of these septic tank requirements, has anyone designated the area where you live a health hazard because of sewage?

180 BRYANT: No, they came out and tested the soil and the area and they said that it was good drainage and there was no problem. But because I had an adult foster care home that put me in another category and in their estimation I should have another 1,000-gallon septic tank.

187 SEN. KENNEMER: To add to that point, it's interesting that if I were to move into that home and I would have any number of children there would not be an issue. I also think that we have to realize that if I have five little old ladies and Miss Bryant in there, I suspect that their water use is probably less than even my family with two teenage boys and my wife and I.

195 BRYANT: If this is not stopped, they could actually close my home on this issue alone because I lease the house and there's no way that I would be allowed to add another. 200 SEN. KENNEMER: The cost of adding the additional 1,000 gallons would be about. . . 203 BRYANT: About \$10,000 - 12,000.

205 SEN. TROW: Is there any appeals process?

207 BRYANT: No. 208 BEVERLY TRAPP9 OWNER-OPERATOR, ADULT FOSTER CARE HOME' MILWAUKIE: I care for three ladies, 76-86 years of age. Four years ago after purchasing our home in Milwaukie, my husband and I decided to remodel our double garage and make two bedrooms and a bathroom and a small utility area. We made the necessary application for

permits and proceeded with the remodel. Shortly thereafter when the remodel was completed, we received a bill in the mail stating we were being charged \$900 for the new bathroom because my home was a foster home. I called the sewage company and questioned the bill, especially having just moved from a five-bedroom, three-bathroom rental on the same street. They said that I had to pay the bill as my home was a foster home. I didn't. Last January when we refinanced our home we discovered there was a lien placed on the property in the amount of \$900 plus interest. The bank had to satisfy the lien and we proceeded with our refinancing. I do not feel just because we proceeded the correct way by getting the necessary permits and giving a good home to three elderly ladies who do not care to live in a nursing home environment that we should be penalized this way. About a year ago I received my sewer bill and noticed it was no longer \$26, but \$46. I thought it was a typo so I called the sewage company again, only to be told my home was considered a business and in the same category as taverns, beauty shops, and mobile home parks. I informed them that it was a residential home and area and they stated they would send me a list of different businesses that were being charged the same way, and I have . 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 taper. Senate Committee on Human Resources February 13, 1991- Page 16

the list here. I argued the point by telling them that there were not as many people residing in my home presently as there had been when my children were there. They stated that this made absolutely no difference at all; that this was a business and I would be charged accordingly. My bone of contention is the fact that the state and the county want us as foster home caregivers, to give the elderly a family and home atmosphere, and the one-on-one care, but in the same sense we are being charged as though we are big businesses and this to me is contradictory and discriminating. 247 STEVEN BALOG, MANAGER, MULTNOMAH COUNTY AGING SERVICES: Submits and summarizes written testimony against SB 1101 (EXHIBIT G). 307 SEN. TROW: If this bill were to pass and there would have to be uniform standards for licensing and inspection applied to all adult foster homes and that you have to treat these adult foster homes as multi-family dwellings and not as something else, would that change your regulatory program? 315 BALOG: I assume it would if there would be centralized standard rules if they simply adopted Multnomah County's ordinance and rules it would change the program. 322 SEN. TROW: Would it diminish the program? 324 BALOG: It depends on what rules they adopt. Our rules exceed the state rules. I understand the fear of putting on too many requirements. I don't think we have crossed that threshold in Multnomah County. We have additional rules which I think are reasonable and helpful for the residents and for the protection of those residents. 335 SEN. TROW: If you exceed the standards and you do it differently, but you think you have a better level of protection than the state rules would provide, is that what you're saying? And can you document that? 337 BALOG: Yes, Penny Davis is Chairperson of our Advisory Board and she was one of the leaders in the initial Multnomah County ordinance and she might be able to address that better than I. 343 SEN. KENNEMER: Is it fair to say that Multnomah County has the most extensive rules on foster homes of any county in the state? 347 BALOG: I really don't know. 352 SEN. KENNEMER: Do you have any idea how yours compares with Washington County? 354 BALOG: Washington County is basically the state rules. Clackamas and Multnomah Counties are the only exempt counties in the state. We are the only two that have exercised the option under ORS 443.780. 360 SEN. KENNEMER: Do you find confusion with people who are bordering your area, with either

Washington County who has only the state standards, or Clackamas County who has considerably more? . _ There nunutes contain rmaterials which par phrase and/or summarize rlatementr a~de during this session Only text enclosed in quotation marks "port & speaker'P exact words. For complete contents of the proceed ngs, please refer to the taper. - Senate Committee on Human Resource. February 13,1991- Page 17

362 BALOG: The only time, as I understand, there would be confusion is if there is someone who owns a home in both counties and would have resident managers in both counties. The ordinary mom and pop operators in Multnomah County who operate one home, the only rules they have to follow and know are Multnomah County rules.

370 PENNY DAVIS, CHAIR, ADVISORY BOARD TO MULTNOMAH COUNTY CARE HOME PROGRAM: The Advisory Board is opposed to SB 1101. Section 1 removes the incentive for a county to run its own licensing program. Multnomah County has been able to act at a level different from what the state has been able to because of the additional resource that the County has put into the program that's made a great difference to the residents in Multnomah County and to the families and friends of those residents. The state does what it can in the rest of the state but has not been able to achieve the same level just due to the lack of staff and funding. Adding the 450 Multnomah County adult foster homes to the state's responsibility is not going to improve the state's response to adult foster care licensing issues or enforcement problems.

393 SEN. TROW: If you just kept the responsibility but administered the state's rules?

395 DAVIS: Historically, Multnomah County was the first to register and then the first to license adult foster homes. Multnomah County passed an ordinance before the state passed a statute and in many ways what the state has done has been built on the Multnomah County model. I'm not saying that Multnomah County is perfect but that's the history going into this. Some of what is in SB 549 is based on some differences in Multnomah County rules whereas since Multnomah County currently protects residents from being transferred without notice the state rules do not provide the same protection as of now. SB 549 is designed to make sure residences across the state share this protection. I'm concerned also about Section 3 of the Act. I have not seen the proposed amendments but I can easily see a situation where the differences are not over the kinds of things raised by the providers thus far today, are not over things like sewage and sanitation. Those are clearly issues that ought to be dealt with differently than how those providers described. Multnomah County does have rules that require some physical differences in structures; for example, require grab bars in bathroom where there are people who need those, require wheelchair ramps where those are needed. Those same requirements are not there for single-family homes nor should they be. There is just a difference in what the buildings do when they serve elderly and disabled residents.

418 SEN. KENNEMER: Do you think that foster homes should be assessed differently for sewer services or the septic tank requirements should meet commercial standards?

425 DAVIS: I must confess a lack of information about sewage in general. It makes sense if the county is doing it based on capacity or use, not designation of the type of facility. 427 SEN. KENNEMER: These facilities are using less of those services.

430 DAVIS: It certainly is a matter to be raised with Clackamas County. I have not heard it raised as an issue in Multnomah County.

These minutes contain rnbrialr which pcraphrase and/or aununarizc rbternrcrts made during this session Only text enclosed in quotation marks report a speaker's exact words Por complete contents of the proceedi gs, p refer to the tal - Senate Committee on Human Resources February 13,1991Page 18

TAPE 99, SIDE A 433 CHRISTINA BIRD, CITIZEN: Is an advocate for the rights and welfare of seniors and a surrogate decisionmaker for the incapacitated. I do have concerns about eliminating the exemption for the county to refine the state rules to further develop them. The exemption does not disallow, in my opinion, for uniform application of the state rules but rather allows for uniform application plus local refinement. We have the comfort of knowledge knowing that there is a checks and balance system to insure that local refinement is just and fair, that it is practical and applicable and it is enforceable and I think those are important points. This exemption enabled a group of community professionals, consumers and their family members, service and care providers to work together cooperatively to develop a set of rules that is very specific and establishes minimum standards to be met in an effort to assure quality of long-term care in Clackamas County. It also enabled us to clarify the state standards, to clarify definitions that were in the state standards in order to protect the residents when there is a suspicion of non compliance and to protect the providers when there is no substantiation of non-compliance. I urge you to continue to encourage local involvement by allowing local ownership and accountability. To eliminate the local responsibility I feel is to endanger the clients through denial of a speedy process. To eliminate local ownership is to deny an input from the adult foster home providers, community professionals, and the consumers. Long-term care in Clackamas County is quality care and I believe that is partly due to the establishment of these rules and the option for the local agency to license and evaluate the facilities and the providers. I support the adult foster home providers and the excellent job that they do in performing their job, but the bottom line for me is the client and the protection of that client. We've made great progress and I hope that we won't negate that. 037 SEN. KENNEMER: Mr. Ritz said that he thought that lots of competent foster home people were electing not to come into Clackamas County because of the stringent regulations. Do you have a view on that? 040 BIRD: In looking at foster home statistics over the past year, there's been a slight increase in the number of foster homes in the county, staying stable with a slight increase. 045 SEN. KENNEMER: That's a dramatic departure from the way it's been, isn't it? Hasn't there been a dramatic increase each year? 046 BIRD: I don't know. 055 MARK NELSON, PUBLIC AFFAIRS COUNSEL, OREGON REGISTERED CARE PROVIDERS ASSOCIATION: What is embodied in Sub 1 was our intention was not to stop Clackamas or Multnomah County programs. It's addressing what I think is a policy issue and that is that we have three governmental bodies-the Legislature, the Division, and the counties (in this case, Clackamas and Multnomah Counties) adopting rules. You just passed out today SB 549 which is a statutory provision for the regulation of foster care. The Division has promulgated numerous rules also regulating adult foster care and so has Clackamas and Multnomah Counties. Our attention is trying to address this policy issue as to whether or not you have three bodies as opposed to two, be it regulating foster care. Nursing homes and residential care homes are not regulated in such a manner,

only with adult foster care have we set up a different set of rules in these particular counties. We're not making a statement about the quality Senate Committee on Human Resources February 13, 1991- Page 19

of the rules or the programs in those two counties. We're just presenting to the committee the issue of policy of whether or not there should be separate standards that the providers must look at both within the counties and within the state. The issue embodied in Section 3, it is also not our intention to forestall or to prohibit the regulation of fire and safety kinds of standards and anything else that other people may bring up other than the issues of sewer and application of residential zoning requirements to the residential homes. My understanding that the Attorney General or Assistant Attorney General has raised some of these issues as it relates to things that we did not embody or did not think about in looking at this particular bill. We would be happy to work with a group in conjunction with your Committee Administrator to try to identify those particular areas that we did not intend to infringe upon and try to get a bill out that would meet the needs of the adult foster care community as well as the regulators.

110 SEN. KENNEMER: We're in the process of proliferating lots of separate rules that will make it harder for there to be consistency. It creates better regulation or more regulation but in the long-term if we're not careful it's contradictory and confusing.

112 NELSON: I indicate only adult foster care is involved in this strange kind of regulatory setup. I'm not saying anything about the programs in those counties. Under our bill, those programs would continue. All we're asking is that those two counties and the state get together and agree upon a uniform set of standards. They can be tougher than what they are now if that's what they so choose but to ask a provider to deal with three different levels of standards between the state and those two counties from a public policy point of view doesn't make any sense. 125 CHAIR MCCOY: But doesn't that work out fairly well? Isn't there cooperation between the different entities?

127 MELSON: In my short involvement in this area, I don't think there's a tremendous amount of cooperation between the state and the counties. 127 CHAIR MCCOY: When I ran a facility in Portland, we certainly cooperated and got excellent cooperation from the state as well as the city and the fire department and everybody else.

130 NELSON: I don't mean to say that the individual programs are bad. I think they're very good. I'm saying from a public policy point of view isn't there some way in which you can merge the standards between the two counties and the state? The programs can continue. We're not proposing any change in the programs. 138 CHAIR MCCOY: I thought that you were saying that you have to have standardized operations for all, rules for everybody, and everybody is not the same. 140 NELSON: We are asking in the bill that we develop uniform standards just like we have uniform standards for nursing homes and residential care homes. We don't have different standards by counties to regulate nursing homes. It's very difficult for the provider to operate under that kind of situation. 150 BARBARA SACKETT, OREGON MENTAL HEALTH DIVISION: Submits and summarizes written testimony in favor of SB 1101 with amendment to Section 3 (EXHIBIT H).

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170 MARTIN GOUGHNOUR, FIRE MARSHALL, CLACKAMAS COUNTY FIRE DISTRICT #1: We have approximately 30 adult foster care facilities and I am an advocate for adult foster homes, but my concerns are the same as the previous speaker. I would be willing to allow our office to assist in making sure that we do get the proper verbiage in the bill. 175 SEN. KENNEMER: It is not my intention nor the foster care providers' intention to in any way endanger anyone. Obviously, we're all concerned about the welfare of these people and want the best possible treatment. We just want to make sure that we're continuing to have an efficient and as simple a system as is responsible. 185 GOUGHNOUR: I agree with that and I received a copy of the amendment just before I left the office this afternoon and I would like to look at that a little more as well. 187 GARY UNDERWOOD, STATE FIRE MARSHALL'S OFFICE: Submits and summarizes written testimony in opposition to SB 1101 (EXHIBIT I). 212 JANE CUMMINGS, LEAGUE OF OREGON CITIES: As I understand it, most adult foster homes are single-family dwellings; however, we see that there is a possible conflict with the building code and that is an adult foster home does not have to be a single-family. It could be constructed under a building code with standards that pertain to multi-family. I would ask that that be corrected. 225 JOHN MULLIN, DIRECTOR, CLACKAMAS COUNTY SOCIAL SERVICES: Submits and summarizes written testimony in opposition to SB 1101 (EXHIBIT J). 255 SEN. KENNEMER: We have a good record in Clackamas County and I think that is in part through involvement. Where are we headed? We may regulate the foster homes into the ground and if we're not careful we'll come up with an enormous number of regulations. Right now we have the state code which covers 33 counties and we have this document. Do we need to look at a state policy? When we're looking at trying to create quality, inexpensive, and responsible care for the elderly in particular I wonder if this kind of regulation is producing it and if we don't need to look at a state policy that would be a little more specific giving some local options because certainly there are differences in the needs all over. When I start seeing, for example, in Clackamas County that we're going to charge commercial sewer rates that has cost impact and that cost impact gets passed on. The whole issue of the housing coalition was affordable housing and certainly retired people are among those people that are most pinched. We lost two people in Lake Oswego and there are some circumstances about that that are absolutely incredible and unforgivable if I understand some of those circumstances. It seems to me if we looked at a more comprehensive way of doing this; either there's an enormous need for better regulation or else there's some middle ground. That's the issue. When you look at it in a statewide forum that's why I thought this had some merit. It may be that all of what Multnomah and Clackamas Counties have done makes sense. It's an interesting problem. Would you be willing to work with a group to find some middle ground? 310 MULLIN: We have worked on the state rules as well. Our rules and ordinance do go beyond the state as we're entitled to under the existing statutes, but we are very open to working with the state and with our local providers. I would point out that the length of our rules in part has to do with the discussion that we had with providers that asked for additional clarifications and

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definitions. You see before you the product of some committee work and

we are very happy and most pleased to provide training about what our ordinance and rules are about and do so quite often.

[Written testimony is also submitted by Margaret Robbins, Member, Governor's Commission on Senior Services and as Long Term care Ombudsman District Facilitator for Douglas County (EXHIBIT K).]

325 SUSAN DIETSCH, MANAGER, PROGRAM ASSISTANCE SECTION, SENIOR AND DISABLED SERVICES DIVISION: Because our division is the division responsible for establishing the rules that are used in the 34 counties and also since we approve because of the exemption in the statute those rules that are in Multnomah and Clackamas Counties, I would like to make a few comments. On the first part, we don't have an opinion as to whether or not they should be uniform or whether there should be an exemption. On the one hand the fact that some counties can develop their own rules allows some flexibility and some participation in the smaller governmental units in a county that otherwise might not know what a adult foster home is. It's also cumbersome to have to have lots of sets of rules. One of the hardest parts is to review those rules to see whether or not they meet the equal or better concept in the statute. What we weigh is, how do you define 1~better11? Is that more restrictive and safer on the one hand or is it less good if in fact it prohibits some people who can provide good care from participating. It's difficult to weigh whether restricting people from being foster care providers is good or bad. The second part poses some problems. We were the ones that asked for a review by our Justice Department representative to tell us what that would do because we have traditionally wanted to have rules and statutes that support the home life environment of adult foster homes and to promote adult foster homes in residential communities and make that homelike. On the other hand, we also know that there are some things that are unique about adult foster care homes that require some additional standards that you wouldn't expect of a family residential home. We think the language in the bill is confusing and doesn't get us what we want which is to retain that homelike residential community concept and at the same time provide those things that Penny Davis described like requiring ramps and bathroom bars. This would apparently prevent us from having that kind of rule in our standards. We would like to state that we're neutral on the first issue. We would be willing to sit with a group who wanted to rework or look at the language of the second part to see whether or not we want to come up with some language that expresses what we think the intent of the bill is. 385 SEN. KENNEMER: I think you stated it well; we want to keep it simple and homelike and safe. Mr. Chairman, do you have an interest in putting some people together to look at trying to find 390 CHAIR MCCOY: I have discovered that it isn't necessary to do that because they will all flow to the office and the staff people will do that automatically. Closes the public hearing on SB 1101. Adjourns the meeting at 5:35 p.m.

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Submitted by: Reviewed by: Carol Wilder Janice Fiegner
Assistant Administrator

EXHIBIT LOG:

A - Testimony on SB 1069 and SB 1070 - Sen. Larry Hill - 4 pages. B - Testimony on SB 1069 and SB 1070 - Jeffrey Howard, Chemeketa Community College - 1 page. C - Testimony on SB 1069 and SB 1070 - R. William Linden, Jr., Judicial Department - 2 pages. D - Testimony on SB 1069 and SB 1070 - Jack R. Cassell, Deaf Consumer - 4 pages. E - Testimony on SJM9 - Scott Lay, Oregon Disabilities Commission - 7 pages. F - Testimony on SB 1101 - Halden Ritz, Clackamas County - 1 page. G - Testimony on SB 1101 - Stephen Balog, Multnomah County - 2 pages. H - Testimony on SB 1101 - Barbara Sackett, Oregon Mental Health Division - 1 page. I - Testimony on SB 1101 - Gary Underwood, State Fire Marshall's Office - 1 page. J - Testimony on SB 1101 - John Mullin, Clackamas County - 2 pages. K - Testimony on SB 1101 - Margaret Robbins, Douglas County - 1 page.

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