

HOUSE COMMITTEE ON HEALTH CARE

March 30, 2011
3:00 PM

Hearing Room D

MEMBERS PRESENT: Co-Chair Mitch Greenlick
Co-Chair Jim Thompson
Co-Vice Chair Ben Cannon
Rep. Margaret Doherty
Rep. Val Hoyle
Rep. Julie Parrish
Rep. Jim Weidner

MEMBER EXCUSED: Co-Vice Chair Bill Kennemer

STAFF PRESENT: Sandy Thiele-Cirka, Committee Administrator
JonnaVe Stokes, Committee Assistant

MEASURES/ISSUES HEARD: HB 2174 – Work Session
HB 3232 – Public Hearing
Informational Meeting
Status of Diabetes and Obesity in Oregon
HB 2324 - Work Session
HB 3228 – Public Hearing

Recording Log

3:09:52 PM Meeting Called to Order Co-Chair Thompson

3:10:08 PM **HB 2174 - Work Session**

3:10:20 PM {Exhibit} 1-2: Rob Bovitt, District Attorney, Lincoln County, Oregon
Narcotics Enforcement Association

3:10:30 PM Co-Chair Thompson

3:10:32 PM Co-Chair Greenlick

3:10:34 PM Bovitt

3:11:34 PM Co-Chair Greenlick

3:12:15 PM Bovitt

3:12:19 PM Rep. Doherty

3:12:20 PM Co-Chair Thompson

3:12:30 PM MOTION: Co-Chair Greenlick moves to adopt the -3 amendments

3:12:41 PM Co-Chair Thompson

3:12:59 PM MOTION: Co-Chair Greenlick moves HB 2174 Do Pass as amended and
be referred to Judiciary by prior reference

3:13:09 PM Co-Chair Thompson

3:13:20 PM VOTE: 6-0-2

3:13:32 PM AYES: Reps. Cannon, Doherty, Greenlick, Hoyle, Thompson, Weidner;
EXCUSED: Reps. Kennemer, Parrish

3:13:57 PM Co-Chair Thompson
3:14:29 PM Co-Chair Greenlick
3:14:32 PM Co-Chair Thompson
3:14:33 PM Co-Chair Greenlick
3:14:34 PM Co-Chair Thompson

3:14:56 PM HB 3232 - Public Hearing

3:15:19 PM Sandy Thiele-Cirka, Committee Administrator
3:15:28 PM Co-Chair Thompson
3:15:33 PM Tom Mann, Public Information Manager, Oregon Department of Veterans' Affairs
3:17:27 PM {Exhibit} 3: Gwen Dayton, General Counsel, Oregon Medical Association
3:17:32 PM Co-Chair Thompson
3:17:34 PM Dayton
3:17:36 PM Mac MacDonald, United Veterans Group of Oregon
3:18:33 PM Co-Chair Thompson
3:18:37 PM Dayton
3:19:39 PM Co-Chair Thompson
3:19:44 PM Rep. Weidner
3:19:45 PM Co-Chair Thompson
3:19:49 PM Rep. Weidner
3:20:04 PM Dayton
3:20:28 PM MacDonald
3:20:34 PM Mann
3:20:41 PM Co-Chair Thompson

3:21:05 PM Presentation on Status of Diabetes and Obesity in Oregon – Informational Meeting

3:21:28 PM Rep. Tina Kotek, House District 44
3:24:43 PM Co-Chair Thompson
3:24:48 PM {Exhibit} 4: Mel Rader, Co-Director, Upstream Public Health
3:24:52 PM Co-Chair Greenlick
3:24:53 PM Sandy Thiele-Cirka, Committee Administrator
3:24:54 PM Rader
3:24:55 PM Thiele-Cirka
3:24:57 PM Rader
3:24:58 PM Thiele-Cirka
3:25:01 PM Rader
3:28:12 PM Rep. Hoyle
3:28:13 PM Rader
3:33:30 PM Co-Chair Thompson
3:33:33 PM Rader
3:33:35 PM Co-Chair Thompson

3:33:55 PM HB 2324 - Work Session

3:34:21 PM John Powell, Regence Blue Cross Blue Shield of Oregon

3:34:24 PM Co-Chair Thompson
3:34:30 PM Co-Chair Greenlick
3:34:41 PM Co-Chair Thompson
3:34:42 PM Rep. Phil Barnhart, House District 11
3:34:43 PM Co-Chair Thompson
3:34:44 PM Rep. Barnhart
3:41:53 PM Co-Chair Thompson
3:41:55 PM Powell
3:42:03 PM Co-Chair Thompson
3:42:04 PM Powell
3:42:40 PM Co-Chair Greenlick
3:42:43 PM Powell
3:44:29 PM Co-Chair Greenlick
3:44:32 PM Co-Chair Thompson
3:44:33 PM Co-Chair Greenlick
3:44:58 PM Powell
3:45:07 PM Co-Chair Greenlick
3:45:29 PM Powell
3:45:49 PM Co-Chair Greenlick
3:45:52 PM Powell
3:46:21 PM Rep. Barnhart
3:46:29 PM Co-Chair Greenlick
3:46:33 PM Co-Chair Thompson
3:46:33 PM Rep. Barnhart
3:46:35 PM Co-Chair Thompson
3:46:37 PM Co-Chair Greenlick
3:46:38 PM Co-Chair Thompson
3:46:40 PM Rep. Doherty
3:46:41 PM Co-Chair Thompson
3:46:43 PM Rep. Doherty
3:46:45 PM Rep. Barnhart
3:46:47 PM Rep. Doherty
3:47:10 PM Rep. Barnhart
3:47:12 PM Rep. Doherty
3:47:12 PM Rep. Barnhart
3:47:14 PM Rep. Doherty
3:47:14 PM Co-Chair Greenlick
3:47:25 PM Rep. Barnhart
3:48:35 PM Rep. Doherty
3:48:36 PM Rep. Barnhart
3:48:39 PM Rep. Doherty
3:48:41 PM Rep. Barnhart
3:48:42 PM Rep. Doherty
3:49:08 PM Rep. Barnhart
3:49:10 PM Rep. Doherty
3:49:12 PM Rep. Barnhart

3:49:13 PM Rep. Doherty
3:49:24 PM Rep. Barnhart
3:49:29 PM Rep. Doherty
3:49:31 PM Rep. Barnhart
3:49:31 PM Rep. Doherty
3:49:34 PM Rep. Barnhart
3:49:35 PM Co-Chair Thompson
3:49:37 PM Rep. Parrish
3:49:39 PM Co-Chair Thompson
3:49:44 PM Rep. Barnhart
3:49:44 PM Co-Chair Thompson
3:49:47 PM Powell
3:49:49 PM Co-Chair Thompson
3:49:52 PM Powell
3:49:53 PM Co-Chair Thompson
3:49:54 PM Powell
3:49:56 PM Co-Chair Thompson
3:49:57 PM Powell
3:50:24 PM Co-Chair Thompson
3:50:33 PM Powell
3:50:35 PM Co-Chair Thompson
3:50:38 PM Rep. Hoyle
3:50:42 PM Co-Chair Thompson
3:50:44 PM Rep. Hoyle
3:51:31 PM Powell
3:51:47 PM Rep. Hoyle
3:51:57 PM Powell
3:52:04 PM Rep. Hoyle
3:52:10 PM Co-Chair Thompson
3:52:11 PM Rep. Parrish
3:53:05 PM Powell
3:53:06 PM Rep. Parrish
3:53:07 PM Powell
3:53:09 PM Rep. Parrish
3:53:09 PM Powell
3:53:13 PM Co-Chair Greenlick
3:53:14 PM Rep. Parrish
3:53:15 PM Co-Chair Thompson
3:53:16 PM Rep. Parrish
3:53:19 PM Co-Chair Greenlick
3:53:21 PM Rep. Parrish
3:53:40 PM Powell
3:53:41 PM Rep. Parrish
3:54:04 PM Co-Chair Thompson
3:54:11 PM Co-Chair Greenlick
3:54:13 PM Co-Chair Thompson

3:54:14 PM Co-Chair Greenlick
3:54:15 PM Co-Chair Thompson
3:54:17 PM Co-Chair Greenlick
3:54:52 PM Powell
3:55:05 PM Co-Chair Greenlick
3:55:57 PM Powell
3:56:04 PM Co-Chair Greenlick
3:56:06 PM Powell
3:56:06 PM Co-Chair Greenlick
3:56:20 PM Powell
3:56:31 PM Co-Chair Thompson
3:56:34 PM Co-Chair Greenlick
3:56:35 PM Co-Chair Thompson
3:56:36 PM Co-Chair Greenlick
3:56:37 PM Co-Chair Thompson
3:56:45 PM Jonathan Eames, Oregon Prevention Education Recovery Association
3:58:52 PM Co-Chair Thompson
3:58:57 PM Rep. Weidner
3:59:08 PM Eames
3:59:09 PM Rep. Weidner
3:59:35 PM Eames
4:00:17 PM Co-Chair Thompson
4:00:18 PM The following written testimony was submitted for the record without public testimony:
4:00:18 PM {Exhibit} 5: Jan Meekcoms, Oregon State Director, National Federation Independent Business

4:00:50 PM **HB 3232 - Public Hearing**
4:01:14 PM Co-Chair Greenlick
4:01:29 PM Co-Chair Thompson
4:01:31 PM Sandy Thiele-Cirka, Committee Administrator
4:01:37 PM Co-Chair Thompson
4:01:47 PM {Exhibit} 6: John Huddle, Licensed School Psychologist/U.S. Army Veteran
4:05:54 PM Co-Chair Thompson
4:05:56 PM Huddle
4:06:07 PM Co-Chair Thompson
4:06:09 PM Huddle
4:06:10 PM Co-Chair Thompson
4:06:12 PM Huddle
4:06:13 PM Co-Chair Thompson
4:06:15 PM {Exhibit} 7: Rick Crager, Director/Chair, Oregon Housing Community Services/Governor's Ending Homeless Advisory Council
4:09:21 PM Co-Chair Thompson
4:09:24 PM Thiele-Cirka
4:09:27 PM Co-Chair Thompson

4:10:05 PM Rep. Parrish
4:10:57 PM Co-Chair Thompson
4:11:01 PM Co-Vice Chair Cannon
4:12:09 PM Co-Chair Thompson
4:12:11 PM Rep. Doherty
4:12:36 PM Huddle
4:13:19 PM Co-Vice Chair Cannon
4:13:20 PM Co-Chair Thompson
4:13:21 PM Co-Vice Chair Cannon
4:13:36 PM Huddle
4:13:38 PM Co-Vice Chair Cannon
4:13:47 PM Co-Chair Thompson
4:13:47 PM The following written testimony was submitted for the record without public testimony:
4:13:47 PM {Exhibit} 8: Michael Wise, President-elect, Oregon Trial Lawyers Association, Portland
4:13:47 PM {Exhibit} 9: Robert Holland, Affiliate Full Professor/Member, Oregon Health & Science University/Oregon Academy of Family Physicians

4:14:00 PM **HB 3228 - Public Hearing**
4:14:02 PM Co-Chair Thompson
4:14:24 PM Co-Chair Greenlick
4:14:25 PM Co-Chair Thompson
4:14:26 PM Sandy Thiele-Cirka, Committee Administrator
4:14:28 PM Co-Chair Thompson
4:14:29 PM Thiele-Cirka
4:14:30 PM Co-Chair Thompson
4:14:36 PM Co-Chair Greenlick
4:14:37 PM Co-Chair Thompson
4:14:42 PM Co-Chair Greenlick
4:14:43 PM Co-Chair Thompson
4:14:56 PM Thiele-Cirka
4:14:57 PM Co-Chair Thompson
4:15:04 PM Co-Chair Greenlick
4:15:09 PM Co-Chair Thompson
4:15:11 PM {Exhibit} 10: Peter Bernardo, General Surgeon/Past President, Oregon Medical Association
4:15:12 PM Co-Chair Thompson
4:15:15 PM Bernardo
4:15:34 PM Co-Chair Greenlick
4:15:35 PM Bernardo
4:17:40 PM Co-Chair Thompson
4:17:45 PM Gwen Dayton, General Counsel, Oregon Medical Association
4:18:05 PM Co-Chair Thompson
4:18:07 PM {Exhibit} 11: Deborah Herron, Oregon Liability Reform Coalition
4:18:08 PM Co-Chair Thompson

4:18:09 PM Herron
4:19:26 PM Co-Chair Thompson
4:19:29 PM Co-Chair Greenlick
4:20:05 PM Bernardo
4:20:38 PM Co-Chair Greenlick
4:20:39 PM Co-Chair Thompson
4:20:43 PM Bernardo
4:20:44 PM Co-Chair Thompson
4:21:15 PM {Exhibit} 12-13: Doug Barber, Oregon Academy of Family Physicians/Oregon Rural Health Association
4:23:47 PM Co-Chair Thompson
4:23:59 PM Co-Chair Greenlick
4:24:00 PM Barber
4:24:02 PM Co-Chair Thompson
4:24:08 PM The following written testimony was submitted for the record without public testimony:
4:24:08 PM {Exhibit} 14: Thiele-Cirka
4:24:08 PM {Exhibit} 15-16: Jim Garder, Lawyer, Portland
4:24:08 PM {Exhibit} 17: Bruce Miller, Office of the Court Administrator, Oregon Judicial Department
4:24:08 PM {Exhibit} 18: Michael Becker, Director, Advocacy & Government Affairs, Providence Health & Services, Oregon Region
4:24:08 PM {Exhibit} 19-20: Oregon Health Care Association, Portland, Oregon
4:24:08 PM {Exhibit} 21: Michael Wise, President-elect, Oregon Trial Lawyers Association, Portland, Oregon
4:24:08 PM {Exhibit} 22: Joseph Manero, Government Relations Director, CNA Surety Corporation, Houston, Texas

4:24:09 PM **Presentation on Status of Diabetes and Obesity in Oregon – Informational Meeting**
4:24:27 PM Sandy Thiele-Cirka, Committee Administrator
4:24:29 PM Co-Chair Thompson
4:24:30 PM Thiele-Cirka
4:24:31 PM Co-Chair Thompson
4:24:45 PM {Exhibit} 23: Jennifer Bryman, mother, Oregon
4:26:55 PM Co-Chair Thompson
4:27:09 PM Rep. Weidner
4:27:10 PM Co-Chair Thompson
4:27:11 PM Bryman
4:27:12 PM Co-Chair Greenlick
4:27:15 PM Bryman
4:27:15 PM Rep. Weidner
4:27:19 PM Bryman
4:28:27 PM Rep. Doherty
4:28:28 PM Co-Chair Thompson
4:28:33 PM Colin Kiley, resident with diabetes

4:28:34 PM Co-Chair Thompson
4:28:34 PM Kiley
4:32:07 PM Co-Chair Thompson
4:32:09 PM Paul Garrahan, Special Counsel, Oregon Department of Justice
4:34:56 PM Co-Chair Thompson
4:35:02 PM Co-Chair Greenlick
4:35:18 PM Garrahan
4:35:26 PM Co-Chair Greenlick
4:35:28 PM Garrahan
4:35:32 PM Co-Chair Greenlick
4:35:33 PM Rep. Doherty
4:35:34 PM Co-Chair Greenlick
4:35:37 PM Co-Chair Thompson
4:35:37 PM Rep. Hoyle
4:35:38 PM Co-Chair Greenlick
4:35:39 PM Co-Chair Thompson
4:35:40 PM Kiley
4:35:42 PM Rep. Doherty
4:35:45 PM Co-Chair Greenlick
4:35:48 PM Rep. Doherty
4:35:48 PM Kiley
4:35:52 PM Rep. Hoyle
4:35:52 PM Rep. Doherty
4:35:55 PM Co-Chair Thompson
4:36:14 PM Thiele-Cirka
4:36:15 PM Co-Chair Thompson
4:36:19 PM Thiele-Cirka
4:36:28 PM Co-Chair Greenlick
4:36:43 PM {Exhibit} 24-25: Judy Fry, Registered Nurse/Certified Diabetes Educator/Member, Oregon Diabetes Association
4:37:12 PM Co-Chair Greenlick
4:37:17 PM Fry
4:42:52 PM {Exhibit} 26-27: Michael Green, Board Member, Chair Advocacy Committee, American Diabetes Association
4:47:14 PM Co-Chair Greenlick
4:47:24 PM {Exhibit} 28: Katrina Hedberg, State Epidemiologist, Oregon Public Health Division
4:47:26 PM Co-Chair Greenlick
4:47:34 PM Thiele-Cirka
4:47:35 PM Co-Chair Greenlick
4:47:36 PM {Exhibit} 29: Mary Lou Hennrich, Executive Director, Oregon Public Health Institute
4:47:39 PM Co-Chair Greenlick
4:47:55 PM Hennrich
4:47:56 PM Co-Chair Greenlick
4:47:57 PM Hennrich

4:47:59 PM Co-Chair Greenlick
4:48:03 PM Hedberg
4:48:04 PM Hennrich
4:48:08 PM Co-Chair Greenlick
4:48:09 PM Hedberg
4:51:31 PM Co-Chair Greenlick
4:51:33 PM Hedberg
4:51:39 PM Co-Chair Greenlick
4:51:41 PM Hedberg
4:51:45 PM Co-Chair Greenlick
4:51:45 PM Rep. Doherty
4:51:47 PM Hedberg
4:51:49 PM Co-Chair Greenlick
4:51:50 PM Hedberg
4:51:58 PM Co-Chair Greenlick
4:52:01 PM Hedberg
4:52:06 PM Co-Chair Greenlick
4:52:09 PM Hedberg
4:52:12 PM Co-Chair Greenlick
4:52:13 PM Hedberg
4:52:31 PM Co-Chair Greenlick
4:52:33 PM Hedberg
4:54:08 PM Co-Chair Greenlick
4:54:11 PM Hedberg
4:55:59 PM Co-Chair Greenlick
4:56:14 PM Hedberg
4:56:24 PM Co-Chair Greenlick
4:56:27 PM Hedberg
4:56:27 PM Co-Chair Greenlick
4:56:30 PM Hedberg
4:56:32 PM Co-Chair Greenlick
4:56:33 PM Hedberg
4:56:35 PM Co-Chair Greenlick
4:56:36 PM Hedberg
4:56:39 PM Co-Chair Greenlick
4:56:40 PM Hedberg
4:56:45 PM Co-Chair Greenlick
4:56:50 PM Hennrich
5:00:45 PM Co-Chair Greenlick
5:00:48 PM Hennrich
5:00:53 PM Co-Chair Greenlick
5:00:56 PM Colonel Mike Dunn, Deputy State Surgeon, Medical Management, U.S.
Army
5:01:40 PM Co-Chair Greenlick
5:01:44 PM Rep. Weidner
5:01:45 PM Dunn

5:01:48 PM Rep. Weidner
5:01:58 PM Dunn
5:02:04 PM Rep. Weidner
5:02:06 PM Dunn
5:02:07 PM Rep. Weidner
5:02:08 PM Dunn
5:02:17 PM Rep. Weidner
5:02:52 PM Co-Chair Greenlick
5:02:53 PM Rep. Doherty
5:02:53 PM Co-Chair Greenlick
5:03:08 PM Hennrich
5:03:09 PM Co-Chair Greenlick
5:03:10 PM Hennrich
5:03:12 PM Co-Chair Greenlick
5:03:42 PM Rep. Doherty
5:04:22 PM Co-Chair Greenlick
5:04:23 PM Rep. Doherty
5:04:25 PM Co-Chair Greenlick
5:04:30 PM Rep. Doherty
5:04:31 PM Co-Chair Greenlick
5:04:32 PM Rep. Doherty
5:04:33 PM Co-Chair Greenlick
5:04:33 PM Hennrich
5:04:36 PM Rep. Doherty
5:04:42 PM Hennrich
5:04:44 PM Co-Chair Greenlick
5:04:45 PM Hennrich
5:04:49 PM Co-Chair Greenlick
5:04:50 PM Rep. Doherty
5:04:51 PM Meeting Adjourned by Co-Chair Greenlick

Exhibit Summary

3:10:20 PM {Exhibit} 1: HB 2174, -3 amendments, staff, 14 pp
3:10:20 PM {Exhibit} 2: HB 2174, written testimony, Rob Bovitt, 1 p
3:17:27 PM {Exhibit} 3: HB 3232, written testimony, Gwen Dayton, 2 pp
3:24:48 PM {Exhibit} 4: Status of Diabetes & Obesity in Oregon, PowerPoint presentation, *Excise Tax Proposal on Soda & Other Sugar-Sweetened Beverages*, Mel Rader, 4 pp
4:00:18 PM {Exhibit} 5: HB 2324, written testimony, Jan Meekcombs, 1 p
4:01:47 PM {Exhibit} 6: HB 3232, written testimony, John Huddle, 2 pp
4:06:15 PM {Exhibit} 7: HB 3232, written testimony, Rick Crager, 4 pp
4:13:47 PM {Exhibit} 8: HB 3232, written testimony of Oregon Trial Lawyer's Association, Michael Wise, 2 pp

- 4:13:47 PM** {Exhibit} 9: HB 3232, written testimony of Robert Holland Jr., Doug Barber, 1 p
- 4:15:11 PM** {Exhibit} 10: HB 3228, written testimony of Oregon Medical Association, Peter Bernardo, 2 pp
- 4:18:07 PM** {Exhibit} 11: HB 3228, written testimony, Oregon Liability Reform Coalition, Deborah Herron, 2 pp
- 4:21:15 PM** {Exhibit} 12: HB 3228, written testimony of Robert Holland Jr., Doug Barber, 1 p
- 4:21:15 PM** {Exhibit} 13: HB 3228, written testimony of Bob Duehmig, Doug Barber, 1 p
- 4:24:08 PM** {Exhibit} 14: HB 3228, -1 amendments, staff, 1 p
- 4:24:08 PM** {Exhibit} 15: HB 3228, report by Glen A. Huff, *Charitable Immunity as a Defense Tool in Medical Malpractice Cases*, Jim Gardner, 6 pp
- 4:24:08 PM** {Exhibit} 16: HB 3228, informational material of *Oregon Supreme Court Case S44110*, Jim Gardner, 15 pp
- 4:24:08 PM** {Exhibit} 17: HB 3228, written testimony, Bruce Miller, 2 pp
- 4:24:08 PM** {Exhibit} 18: HB 3228, written testimony, Michael Becker, 1 p
- 4:24:08 PM** {Exhibit} 19: HB 3228, written testimony of Oregon Health Care Association, staff, 1 p
- 4:24:08 PM** {Exhibit} 20: HB 3228, letters of support of Oregon Health Care Association, staff, 36 pp
- 4:24:08 PM** {Exhibit} 21: HB 3228, written testimony of Oregon Trial Lawyers Association, Michael Wise, 1 p
- 4:24:08 PM** {Exhibit} 22: HB 3228, written testimony of CNA, Joseph Manero, 1 p
- 4:24:45 PM** {Exhibit} 23: Status of Diabetes & Obesity in Oregon, written testimony, Jennifer Bryman, 2 pp
- 4:36:43 PM** {Exhibit} 24: Status of Diabetes & Obesity in Oregon, video presentation, Judy Fry, C.D.
- 4:36:43 PM** {Exhibit} 25: Status of Diabetes & Obesity in Oregon, PowerPoint presentation, *Informational_Fry*, Judy Fry, 4 pp
- 4:42:52 PM** {Exhibit} 26: Status of Diabetes & Obesity in Oregon, written testimony of American Diabetes Association, Michael Greene & Judy Fry, 2 pp
- 4:42:52 PM** {Exhibit} 27: Status of Diabetes & Obesity in Oregon, report of Department of Human Services, *"Reversing the trends of obesity & diabetes"*, Michael Greene, 36 pp
- 4:47:24 PM** {Exhibit} 28: Status of Diabetes & Obesity in Oregon, PowerPoint presentation, Katrina Hedberg, 8 pp
- 4:47:36 PM** {Exhibit} 29: Status of Diabetes & Obesity in Oregon, written testimony, Mary Lou Hennrich, 3 pp
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