

SENATE HEALTH CARE AND HUMAN SERVICES COMMITTEE

February 28, 2013
3:00 P.M.

Hearing Room A

MEMBERS PRESENT: Sen. Laurie Monnes Anderson, Chair
Sen. Jeff Kruse, Vice-Chair
Sen. Tim Knopp
Sen. Chip Shields
Sen. Elizabeth Steiner Hayward

STAFF PRESENT: Sandy Thiele-Cirka, Committee Administrator
Ashley Clark, Committee Assistant

MEASURES/ISSUES HEARD: SB 167 – Work Session
SB 281 – Work Session
SB 548 – Public Hearing and Work Session
SB 460 – Public Hearing
SB 470 – Public Hearing

Recording Log

3:03:43 PM Meeting Called to Order by Chair Monnes Anderson

3:03:54 PM **SB 167 - Work Session**

3:03:57 PM {Exhibit} 1: Sandy Thiele-Cirka, Committee Administrator

3:04:54 PM MOTION: VICE-CHAIR KRUSE MOVES TO ADOPT THE -2 AMENDMENTS

3:04:59 PM Chair Monnes Anderson

3:05:12 PM VOTE: 5-0-0 (SEE TIMESTAMP 4:59:31)

3:05:13 PM AYES: KNOPP, STEINER HAYWARD, KRUSE MONNES ANDERSON

3:05:14 PM EXCUSED: SHIELDS

3:05:15 PM MOTION: VICE-CHAIR KRUSE MOVES SB 167 DO PASS AS AMENDED

3:05:24 PM Chair Monnes Anderson

3:05:33 PM VOTE: 5-0-0 (See Timestamp)

3:05:49 PM AYES: KNOPP, STEINER HAYWARD, KRUSE, MONNES ANDERSON

3:05:50 PM EXCUSED: SHIELDS

3:05:53 PM CARRIER: SEN. STEINER HAYWARD WILL LEAD DISCUSSION ON THE FLOOR

3:06:03 PM **SB 281 - Work Session**

3:06:14 PM Sandy Thiele-Cirka, Committee Administrator

3:06:29 PM Chair Monnes Anderson

3:07:28 PM Vice-Chair Kruse

3:08:42 PM Sen. Steiner Hayward

3:10:07 PM Vice-Chair Kruse

3:10:34 PM Sen. Shields
3:11:24 PM Chair Monnes Anderson
3:12:18 PM Dr. Mel Kohn, Director of the Public Health Division, State Public Health Officer
3:12:55 PM Chair Monnes Anderson
3:13:11 PM Sen. Shields
3:13:44 PM Recording Paused
3:14:26 PM Recording Resumed
3:14:27 PM Chair Monnes Anderson
3:14:35 PM Sen. Shields
3:14:36 PM MOTION: SEN. SHIELDS MOVES SB 281 DO PASS AND BE RETURNED TO THE PRESIDENT'S DESK FOR REFERRAL TO THE SENATE JUDICIARY COMMITTEE
3:14:48 PM Vice-Chair Kruse
3:14:54 PM Sen. Shields
3:14:55 PM Chair Monnes Anderson
3:15:09 PM Sen. Shields
3:15:30 PM Chair Monnes Anderson
3:15:48 PM Vice-Chair Kruse
3:15:55 PM Chair Monnes Anderson
3:16:16 PM Vice-Chair Kruse
3:16:52 PM Sen. Steiner Hayward
3:17:22 PM Sen. Knopp
3:17:57 PM VOTE: 4-1-0
3:17:59 PM AYES: KNOPP, SHIELDS, STEINER HAYWARD, MONNES ANDERSON
3:18:00 PM NAYS: KRUSE
3:18:06 PM Chair Monnes Anderson

3:18:18 PM **SB 548 - Public Hearing**
3:18:50 PM Sandy Thiele-Cirka, Committee Administrator
3:18:51 PM Chair Monnes Anderson
3:19:15 PM {Exhibit} 2: Dr. Jeanette Mladenovic, Provost and VP of Academic Affairs, OHSU

3:22:34 PM Chair Monnes Anderson
3:22:40 PM {Exhibit} 3: Dr. Jeff Stewart, faculty member, OHSU School of Dentistry
3:24:42 PM Chair Monnes Anderson
3:24:43 PM Sen. Steiner Hayward
3:25:06 PM Mladenovic
3:25:34 PM Sen. Steiner Hayward
3:26:01 PM Mladenovic
3:26:09 PM Stewart
3:26:49 PM Sen. Steiner Hayward
3:27:32 PM Stewart
3:28:01 PM Sen. Steiner Hayward
3:28:13 PM Mladenovic
3:28:59 PM Sen. Steiner Hayward

3:29:14 PM Chair Monnes Anderson
3:29:35 PM {Exhibit} 4: Witness Registration

3:29:36 PM **SB 548 - Work Session**
3:29:39 PM MOTION: VICE-CHAIR KRUSE MOVES SB 548 DO PASS
3:29:43 PM Chair Monnes Anderson
3:29:58 PM VOTE: 5-0-0 (SEE TIMESTAMP 4:59:34)
3:30:00 PM AYES: KNOPP, STEINER HAYWARD, KRUSE, MONNES ANDERSON
3:30:01 PM EXCUSED: SHIELDS
3:30:02 PM CARRIER: SEN. ROBLAND WILL LEAD DISCUSSION ON THE FLOOR

3:30:08 PM **SB 460 - Public Hearing**
3:30:16 PM {Exhibit} 5-6: Chair Kruse
3:30:34 PM {Exhibit} 7: Sen. Monnes Anderson, State Senator, Senate District 25
3:34:04 PM House Speaker Tina Kotek, State Representative, House District 44
3:36:23 PM Chair Kruse
3:37:04 PM {Exhibit} 8: Dennis McNannay, Executive Director, Oregon Bioscience Association
3:38:16 PM {Exhibit} 9: Dr. Thomas Felix, Regulatory Fairs Director, Amgen
3:47:30 PM Chair Monnes Anderson
3:48:52 PM Felix
3:49:23 PM Chair Monnes Anderson
3:49:32 PM McNannay
3:52:08 PM Chair Monnes Anderson
3:52:23 PM McNannay
3:52:26 PM Chair Monnes Anderson
3:52:58 PM {Exhibit} 10: Cynthia Laubacher, Senior Director of State Affairs, Express Scripts
3:56:20 PM Chair Monnes Anderson
3:56:23 PM {Exhibit} 11: Lis Houchen, Northwest Regional Director, National Association of Chain Drug Stores
3:59:30 PM Chair Monnes Anderson
4:00:00 PM Houchen
4:01:17 PM Laubacher
4:01:35 PM Chair Monnes Anderson
4:02:03 PM Laubacher
4:02:15 PM Sen. Shields
4:02:28 PM Laubacher
4:03:02 PM Houchen
4:04:30 PM Chair Monnes Anderson
4:05:14 PM {Exhibit} 12: Elise Brown, America's Health Insurance Plans
4:07:52 PM Don Stecher, NOVARTIS Pharmaceuticals
4:11:17 PM Chair Monnes Anderson
4:11:26 PM Stecher
4:11:57 PM Chair Monnes Anderson
4:12:13 PM Stecher

4:12:58 PM Chair Monnes Anderson
4:13:27 PM Stecher
4:13:38 PM Sen. Knopp
4:14:23 PM Stecher
4:14:55 PM Sen. Knopp
4:15:01 PM Stecher
4:15:09 PM Sen. Knopp
4:15:12 PM Stecher
4:15:13 PM Sen. Knopp
4:15:15 PM Stecher
4:15:22 PM Sen. Knopp
4:15:25 PM Stecher
4:15:46 PM Sen. Knopp
4:15:58 PM Stecher
4:16:05 PM Sen. Knopp
4:16:14 PM Stecher
4:16:40 PM {Exhibit} 13: Carol Choutka, Program Manager, National Multiple Sclerosis Society, Oregon Chapter
4:18:19 PM Chair Monnes Anderson
4:18:56 PM Sen. Knopp
4:19:17 PM Brown
4:19:31 PM Sen. Knopp
4:19:35 PM Chair Monnes Anderson
4:20:22 PM {Exhibit} 14: David Robertson, Senior Pharmacy Manager, Providence Health Plans
4:22:27 PM Chair Monnes Anderson
4:22:30 PM Betsy Earls, Associated Oregon Industries
4:23:42 PM Lisa Trussell, HealthNet Health Plan of Oregon
4:25:33 PM Chair Monnes Anderson
4:25:36 PM Sen. Knopp
4:26:12 PM Trussell
4:26:55 PM Sen. Knopp
4:27:15 PM Sen. Steiner Hayward
4:28:33 PM Sen. Knopp
4:28:34 PM Sen. Steiner Hayward
4:28:37 PM Sen. Knopp
4:28:44 PM Sen. Steiner Hayward
4:29:46 PM Chair Monnes Anderson
4:30:28 PM Felix
4:32:50 PM Sen. Steiner Hayward
4:33:41 PM Chair Monnes Anderson
4:33:42 PM Sen. Steiner Hayward
4:34:02 PM Felix
4:35:21 PM Sen. Steiner Hayward
4:36:39 PM Felix
4:36:57 PM Sen. Steiner Hayward

4:37:00 PM Felix
4:37:28 PM Sen. Steiner Hayward
4:38:22 PM Sen. Knopp
4:38:31 PM Felix
4:38:49 PM Sen. Knopp
4:38:50 PM Chair Monnes Anderson
4:39:05 PM Sen. Knopp
4:39:07 PM Chair Monnes Anderson
4:39:09 PM Vice-Chair Kruse
4:39:21 PM Chair Monnes Anderson
4:39:39 PM {Exhibit} 15: Witness Registration
4:39:40 PM The following written testimony is submitted for the record without public testimony:
4:39:41 PM {Exhibit} 16: Brynna Clark, Senior Director of State Affairs, Generic Pharmaceutical Association
4:39:41 PM {Exhibit} 17: Steve Logan, Senior Director, Regional Pharmacy Services Kaiser Permanente Northwest
4:39:41 PM {Exhibit} 18: Jonathan Alexander, President, Oregon Dermatology Society
4:39:41 PM {Exhibit} 19: Andrew Spiegel, Chief Executive Officer, Colon Cancer Alliance
4:39:41 PM {Exhibit} 20: Dr. Richard Dolinar, Chairman, The Alliance for Safe Biologic Medicines
4:39:41 PM {Exhibit} 21: Jim Hawley, general counsel and Senior Vice President of State Policy, TechNet
4:39:41 PM {Exhibit} 22: American Academy of Dermatology and AAD Association
4:39:41 PM {Exhibit} 23: Safe Biologics, Alliance for Safe Biological Medicines

4:39:42 PM **SB 470 - Public Hearing**
4:40:11 PM {Exhibit} 24-26: Chair Monnes Anderson
4:40:48 PM Sen. Kruse, State Senator, Senate District 1
4:44:55 PM Chair Monnes Anderson
4:45:29 PM {Exhibit} 27: Rob Bovett, District Attorney, Lincoln County
4:48:50 PM Susan Stein, Dean, Pacific University School of Pharmacy
4:51:01 PM {Exhibit} 28: Cory Hout, Director of Pharmacy, Legacy Marine Park Hospital
4:52:28 PM Vice-Chair Kruse
4:53:06 PM Bovett
4:53:34 PM Vice-Chair Kruse
4:53:48 PM Sen. Shields
4:55:05 PM Bovett
4:56:37 PM Sen. Shields
4:57:00 PM Bovett
4:58:43 PM Vice-Chair Kruse
4:59:00 PM Sen. Shields
4:59:07 PM Chair Monnes Anderson
4:59:08 PM {Exhibit} 29: Witness Registration

- 4:59:09 PM** The following testimony is submitted for the record without public testimony:
- 4:59:10 PM** {Exhibit} 30: Chris Apgar, CEO and President, Apgar & Associates, LLC
- 4:59:10 PM** {Exhibit} 31: Susan Stein, Oregon Society of Health System Pharmacists
- 4:59:10 PM** {Exhibit} 32: Thomas Burns, Director of Pharmacy Programs, Oregon Health Authority
- 4:59:30 PM** **SB 167 - Work Session**
- 4:59:31 PM** MOTION: VICE-CHAIR KRUSE MOVES THAT THE RULES BE SUSPENDED TO ALLOW SEN. SHIELDS TO VOTE AYE ON THE MOTION TO MOVE SB 167 WITH A DO PASS RECOMMENDATION
- 4:59:32 PM** VOTE: 4-0-1
- 4:59:33 PM** **SB 548 - Work Session**
- 4:59:34 PM** MOTION: VICE-CHAIR KRUSE MOVES THAT THE RULES BE SUSPENDED TO ALLOW SEN. SHIELDS TO VOTE AYE ON THE MOTION TO MOVE SB 548 WITH A DO PASS RECOMMENDATION
- 4:59:35 PM** VOTE: 4-0-1
- 4:59:47 PM** Chair Monnes Anderson
- 5:00:05 PM** Sen. Shields
- 5:00:31 PM** Chair Monnes Anderson
- 5:00:53 PM** Meeting Adjourned by Chair Monnes Anderson

Exhibit Summary

- 3:03:57 PM** {Exhibit} 1: SB 167, -2 amendments, staff, 8 pp
- 3:19:15 PM** {Exhibit} 2: SB 548, written testimony, Jeanette Mladenovic, 2 pp
- 3:22:40 PM** {Exhibit} 3: SB 548, written testimony, Dr. Jeff Stewart, 1 p
- 3:29:35 PM** {Exhibit} 4: SB 548, witness registration, staff, 1 p
- 3:30:16 PM** {Exhibit} 5: SB 460, -1 amendments, staff, 1 p
- 3:30:16 PM** {Exhibit} 6: SB 460, -2 amendments, staff, 1 p
- 3:30:34 PM** {Exhibit} 7: SB 460, written testimony, Sen. Monnes Anderson, 1 p
- 3:37:04 PM** {Exhibit} 8: SB 460, written testimony, Dennis McNannay, 1 p
- 3:38:16 PM** {Exhibit} 9: SB 460, letters of support, Dr. Thomas Felix, 22 pp
- 3:52:58 PM** {Exhibit} 10: SB 460, written testimony, Cynthia Laubacher, 2 pp
- 3:56:23 PM** {Exhibit} 11: SB 460, written testimony, Lis Houchen, 3 pp
- 4:05:14 PM** {Exhibit} 12: SB 460, article, *The New York Times*, Elise Brown, 6 pp
- 4:16:40 PM** {Exhibit} 13: SB 460, written testimony, Carol Choutka, 1 p
- 4:20:22 PM** {Exhibit} 14: SB 460, written testimony, David Robertson, 1 p
- 4:39:39 PM** {Exhibit} 15: SB 460, witness registration, staff, 1 p
- 4:39:41 PM** {Exhibit} 16: SB 460, written testimony, Brynna Clark, 3 pp
- 4:39:41 PM** {Exhibit} 17: SB 460, written testimony, Steve Logan, 2 pp
- 4:39:41 PM** {Exhibit} 18: SB 460, written testimony, Jonathan Alexander, 1 p
- 4:39:41 PM** {Exhibit} 19: SB 460, written testimony, Andrew Spiegel, 2 pp
- 4:39:41 PM** {Exhibit} 20: SB 460, written testimony, Dr. Richard Dolinar, 2 pp
- 4:39:41 PM** {Exhibit} 21: SB 460, written testimony, Jim Hawley, 2 pp

- 4:39:41 PM** {Exhibit} 22: SB 460, written testimony, American Academy of Dermatology and AAD Association, 2 pp
- 4:39:41 PM** {Exhibit} 23: SB 460, factsheet, Alliance for Safe Biological Medicines, 2 pp
- 4:40:11 PM** {Exhibit} 24: SB 470, -1 amendments, staff, 3 pp
- 4:40:11 PM** {Exhibit} 25: SB 470, -3 amendments, staff, 1 p
- 4:40:11 PM** {Exhibit} 26: SB 470, -7 amendments, staff, 1 p
- 4:45:29 PM** {Exhibit} 27: SB 470, written testimony, Rob Bovett, 2 pp
- 4:51:01 PM** {Exhibit} 28: SB 470, written testimony, Cory Hout, 2 pp
- 4:59:08 PM** {Exhibit} 29: SB 470, witness registration, staff, 1 p
- 4:59:10 PM** {Exhibit} 30: SB 470, written testimony, Chris Apgar, 4 pp
- 4:59:10 PM** {Exhibit} 31: SB 470, written testimony, Susan Stein, 1 p
- 4:59:10 PM** {Exhibit} 32: SB 470, written testimony, Thomas Burns, 2 pp