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Date

2-15-89
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MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at
Chairperson

1:30 /~~am~~/p.m. on February 14, 1989 in room 423-S of the Capitol.

All members were present except:

Rep. Weimer, excused

Committee staff present:

Emalene Correll, Research
Norman Furse, Revisor
Sue Hill, Committee Secretary

Conferees appearing before the committee:

Katie Pyle, SilverHaired Legislator

Chairman called meeting to order, drawing attention to an omission of a conferee on HB 2108, Mrs. Pyle. He apologized for her name being overlooked on conferee list.

HEARINGS RE-OPENED ON HB 2108:

Mrs. Pyle spoke to the support of HB 2108. She noted she felt she had to speak to HB 2108, in that their Silver Hair Legislature is concerned about neglect/exploitation/ abuse. This frail and dependent group of adults is not independent enough to manage without help of family and or friends, or appointed care takers. We all know and agree, no one should have to put up with abuse, or exploitation, no matter what the age. This bill contains most of the provisions that the Silver Hair Legislative bill contained. We unanimously approved this legislation. We are aware of concerns, i.e., recriminations that mandating reporting can produce. I'm sure that solutions can be found to solve differences. Excellent points in bill are, findings or names of persons reporting can not be released unless those persons reporting request the release of such information. Another excellent point is the toll free phone number for reporting. She touched on other points the Silver Hair Legislature had recommended, and hoped this committee would help to continue to protect the frail and elderly persons in our state.

HEARINGS NOW CLOSED ON HB 2108.:

Chair called attention to action scheduled on HB 2107 and HB 2108. He noted the Chair had been approached by parties who had requested HB 2107, Mr. Hummel, Health Care Association, to have this bill remain inactive during 1989 Session, and request an Interim Study on this problem. Chair agreed.

DISCUSSION AND POSSIBLE ACTION BEGAN ON HB 2108.

Chair asked Mr. Furse to apprise members on technical aspects that would need attention on HB 2108.

Mr. Furse noted, the definition of "fiduciary abuse" will need to fit in perhaps in Section 1 (b). There was discussion in this regard.

Rep. Sader made a motion to pick up the term "fiduciary abuse" in Sec. 1 (b) of HB 2108 as recommended by Mr. Furse, seconded by Rep. Cribbs. Discussion followed. Vote taken, motion carried.

Rep. Flower made a motion to delete language in line 95 "an employee of a financial institution", and to add the word, "and" after the word "agency" in line 93. Motion seconded by Rep. Shallenburger.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S Statehouse, at 1:30 /a.m./p.m. on February 14, 1989.

DISCUSSION CONTINUED ON HB 2108:--

Several members were in opposition to the proposed amendment, noting it does not require financial employees to take any initiative, just to report suspected abuse or exploitation; bank personnel is untrained to spot this type of behavior; discussion on liability issue for the employees/employer. Vote taken, motion carried.

Ms. Correll noted at this time that Section 2 of HB 2108 does not include Physical Therapists, but does Occupational Therapists. There was discussion in this regard.

Rep. Shallenburger made a motion to include the words, "Physical Therapist" in Section 2, Page 3 of HB 2108, motion seconded by Rep. Branson, motion carried.

Discussion ensued on the suggestion of deletion in line 81.

Rep. Shallenburger made motion to delete on Page 2, line 81, the words, "Pursuant to section 8". Motion seconded by Rep. Amos, motion carried.

At this time the Chair stated he would not ask for any motion to move further on HB 2108. He asked Mr. Furse to draw up a balloon indicating amendments voted on today, in order that members will have the opportunity to study revisions made thus far in committee.

Discussion continued, i.e., it was noted there are concerns about the fiscal impact related to HB 2108. Chair will request a fiscal note.

Chair noted agenda for balance of this week.

Meeting adjourned 2:05 p.m.