

Testimony to Ways and Means 4/23/13:

Thank you for this opportunity to speak. I am Bryce Simmons, Compliance Specialist at Oregon Department of Revenue. Every day I help shrink Oregon's tax gap.

Oregon's personal income tax gap for 2006 was over one billion dollars according to our 2009 Personal Income Tax Compliance Report. Today the gap continues growing. This is hundreds of millions of lost dollars for Oregon, uncollected taxes that should be in the general fund paying for needed services. Oregon doesn't need to cut services and lay off workers to balance its budget, and we don't need higher taxes. We need to tap deep into the tax gap to get the millions of dollars Oregon needs.

At Revenue our auditors and revenue agents and compliance specialists are digging into the tax gap every day. Our compliance team contacts non-filers and gets returns filed, auditors inspect the returns and revenue agents collect unpaid taxes. We give a high return on investment for the dollars we collect. It is a detailed and time consuming process and we know Oregon is counting on us.

We count on your support to help us collect additional revenue to fund critical services such as schools, senior services, Oregon Youth Authority and other services. We need your support in two areas to help us better tap into tax gap dollars:

- 1) Give us your biggest ever revenue challenge for the coming biennium, a goal to make us stretch.
- 2) Let us hire a few more auditors, revenue agents and compliance specialists. Just a handful of new people will increase revenue by millions of dollars.

Thank you.

**Joint Ways and Means Committee
Portland, Oregon
April 23, 2013
Testimony on behalf of the
Oregon State Bar**

I am appearing on behalf of the members of the Oregon State Bar to advocate for adequate funding for the courts, low income legal services and indigent defense, the bar's three budget priorities for the 2013 legislative session:

Provide adequate support for the Oregon Judicial Department.

- Fund the department sufficiently to keep courts fully operational during business hours, five days a week, and provide funds to hire back staff lost over the last two biennia. Hiring back staff will enable courts to meet basic time lines in case disposition and public safety.
- Continue funding for Oregon eCourt, the department's ongoing project to make courts more efficient and to increase access to information.
- Fund the additional three judge panel of the Court of Appeals that was authorized in the 2012 session.
- Address judicial compensation. Oregon's judges are among the lowest paid in the nation.

Support for legal services for low income people.

- Maintain current funding levels derived from state court filing fees that support legal services.
- Use interest on certain pooled escrow accounts to provide additional funds for legal services.
- Establish a 50 percent tax credit for donations to the Campaign for Equal Justice, a private non-profit that raises funds to support legal services.

Support adequate funding for indigent defense services in criminal cases – a crucial part of the public safety system.

- Ensure fair compensation for publicly funded attorneys in the criminal and juvenile justice systems.
- Reduce caseloads for attorneys representing parents and children.

Respectfully submitted,

Greg Moawad

Thank you Co-chairs Devlin and Buckley and members of the Committee

My name is Amy Stevens; I am a student at Portland Community College-Cascade campus. I work in the student government and am Board Chair of the Oregon Community College Students Association. Because of the lack of state funding for community colleges the financial burden has been placed on students. At PCC we are facing a proposed tuition increase of \$11 over the next biennium this will be \$400 more per year for a full time student.

Students in Oregon are being faced with difficult decisions. Do they continue their education or feed their families? Student governments from across the state are fighting to fund that education but are also operating programs such as my campus' "Food Nook," which provided non-perishable food to around 150 hungry students who cannot afford groceries so far this year. My student government also runs a program which gives child care grants to student parents because we recognize that this expense can be a barrier to student parent's education. We give out \$49,000 per year to about 90 student parents. We also try to offset the financial burden by operating a book exchange where students can sell their used textbooks to other students on a consignment basis. This last year we sold around 800 text books.

Without these programs and sufficient funding for Community Colleges, higher education will no longer be an option for Oregon students. I myself have struggled financially during my education, sometimes working two jobs while attending class full time. In order to pay for my education I have relied heavily on financial aid which is a debt burden I will spend most of my career repaying and which is a constant worry as I continue my education. I will graduate from PCC this June and hope that the \$93 per credit will not hinder future students from completing their goals. It is vital to Oregon that we make community colleges affordable and accessible for all students.

We need the Community College Support Fund to be funded at \$510 Million in order to give Oregon students the opportunity to succeed and join the work force.

Thank you,
Amy Stevens

Director of Legislative Affairs, Associated Students of Portland community College
Board Chair, Oregon Community College students Association

Yesenia Herrera Testimony

Thank you co-chairs Devlin and Buckley and members of the committee. My name is Yesenia Herrera. I work in student government here at PCC Cascade. My first experience with PCC was when I was in high school and my mother came here. I did not know much except that some days she would come home with extra food and my siblings and I really appreciated it. When I started coming to PCC I realized that my mother had been using the student government's Food Nook in order to be to provide meals for my family when times got tough. I thought this was a great service and that was when I first thought about student government. I ended up applying the next year and getting a job. I work while I simultaneously attend school so that I can help my mother, a single parent, pay for the rent and utilities. However, school is also a priority and I want to keep my GPA up. Because of this I went from being a full time student to being a part time student, taking an average of about 6 credits. This is what I have had to do in order to help support my family. The proposed tuition increases would add an additional financial burden to the stresses of being a student who also has to work. For the success of my future and the future of my younger siblings I need the community colleges support fund to be funded at \$510 million. Thank you for your time.

Chairmen Rep. Peter Buckley and Sen. Richard Devlin

Yesterday I received a notice of the Public Hearing of the Legislative Ways and Means Committee, And decided to testify before you. It has been 34 years, in 1979, since I had the pleasure and Measure Six was the reason and legislators were not happy. We simply asked for 1 1/2% property tax limitation And a yearly 3% raise in property tax valuation and schools to be taken over by the state of Oregon. Sam Johnson was a state legislator from Redmond and Betsy's mom was on the state school School Board. I was called every bad name in the book and it was 27 years before I worked in an Oregon Pharmacy as a pharmacist again. Mike McLain was head of Oregon Board of Pharmacy. I was beginning to think I should have practicing to be a druggist in Oregon but such is youth as I was 39 Years of age at the time- a citizen in Oregon. It took us 12 years to get what I wanted in 1978 in that Measure which collected 207,000 signatures and not one was paid for with lobbyist's money. That is Way we did things a freer Oregon then and Tom McCall and Bob Straub were the governors of state.

We simply need a limited sale tax in Oregon dedicated to schools on certain items in a certain earning Capacity to do the job in Oregon with lowering of property taxes on residential property in state. You Know it and Sam Johnson knew it it 1978. Barbara Roberts knew it in 1992 and 1993 before election. I was still working in Washington State as a pharmacist in Tri-Cities community. I came back to Oregon In 1993 when my mother died of cancer after my father died, in Roseburg, of prostate cancer in 1990.

Jimmy Dale Whittenburg, R. Ph. Retired 2000

3109 NE 28th Avenue

Portland , Oregon 97212



Artisan food manufacturing for restricted diets
Portland, OR 97219

April 22, 2013

Dear Senator Devlin and the Hon. Members of the Ways and Means Committee:

Thank you for the opportunity to submit written testimony in support of the Statewide Public Service Program at Oregon State University. Small businesses like Niftyfare are the backbone of Oregon's economy. My startup is a small food manufacturer and relies on the technical services of institutions such as extension and experiment stations to be successful in a very competitive market. Like many entrepreneurs with a vision, I have the passion but not the scientific expertise to meet government regulations in areas such as shelf-life, food safety, packaging and many others that are necessary to launch a product. I have been fortunate to work with scientists at the Oregon State University Food Innovation Center (FIC) over the past few years to help develop my product so that I could launch my business last year.

I am the owner and "Nif in Charge" of Niftyfare, LLC - a small food manufacturer with a big vision. I am developing a number of product lines for healthy convenience food that meets the needs of people on a restricted diet, including my own family. My business plan includes an eventual gluten-free incubation kitchen for job creation, and an internship program for autistic youth, as a vision of regional financial success based in my community. FIC has been invaluable, allowing me to take targeted classes on topics that I needed more guidance on without investing time/money in programs I didn't need. The staff there has been enormously helpful in providing additional services for extremely reasonable rates, and just generally been a boost of confidence to help get through uniquely food-related start-up issues, which other programs don't provide.

Unfortunately, with current cost-cutting measures already in place, they are unable to open the building to community groups and nonprofits for evening events. More budget cuts would impact their programs and eventually lead to less job creation in this growing industry.

I understand that the Co-Chairs of the Ways and Means Committee has addressed a \$7 million shortfall in the Governor's budget by adding \$5.7 million to the budget for the Statewide Public Service Programs. This is a great step in the right direction, but it still leaves us \$1.3 million short of what is needed to provide the same level of services that we are providing this biennium. Without the additional \$1.3 million we will lose positions in all three programs – Agriculture Experiment Stations like the FIC, Extension and the Forest products Laboratory. **I urge the committee to consider funding the Statewide Public Services fully by recovering the additional \$1.3 million needed to meet the current level of service.**

The help and technical expertise we get through the Statewide Public Service program is vital for the success of my business and many like me and strongly urge that these programs continue at a funding level that allows them to continue these services. Thank you for your attention and if there are other questions, feel free to contact me at my business address.

Sincerely,
Jennifer Lindsay
Owner/Nif in Charge
Niftyfare, LLC

Date : 4/23/2013

Ways and Means Committee:

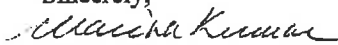
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Sincerely,


Marina Kumar

Takalina Foods LLC
www.takalinafoods.com
Ph : 503.467.6051





info@skoutnatural.com
skoutnatural.com

a Portland ORganic Company

Oregon Legislature

Ways and Means Committee

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Our business is called Skout Natural Foods. Skout Natural Foods consists of brothers and father; myself (Jason), Tony, and Denny Pastega. Tony and I grew up in Tillamook, Oregon, an area known for its connection to the land and abundance of outdoor activities [not to mention its cheese]. My father (Denny) also owns a local gourmet food store which he founded in 1979, so for us enjoying quality food has been a way of life.

Disappointed with existing energy and nutrition bars filled with high-fructose corn syrup and artificial ingredients, I wanted a trailbar that was healthy, organic, and all-natural. So in 2008, with help from the Oregon State University, Food Innovation Center, I put my favorite organic ingredients into a kitchen mixer and spread my first bars with a rolling pin. Six months later Skout Trailbars were born.

Since then, we have 4 employees, distribution across the Western United States, Japan, and Singapore. We have plans to add 2 more employees, distribution throughout the rest of the US, and potentially starting distribution in China. We also have plans to create several new products.

The information and lessons I have learned with the Food Innovation Center were absolutely crucial to getting this far along with the time and limited funding we had as a startup.

I understand that the Co-Chairs of the Ways and Means Committee have addressed a \$7 million shortfall in the Governor's budget by adding \$5.7 million to the budget for the Statewide Public Service Programs. This is a great step in the right direction, but it still leaves us \$1.3 million short of what is needed to provide the same level of services that we are providing this biennium. Without the additional \$1.3 million we will lose positions in all three programs – Agriculture Experiment Stations like the FIC, Extension and the Forest products Laboratory. We urge the committee to consider funding the Statewide Public Services fully by recovering the additional \$1.3 million needed to meet the current level of service. The backbone of Oregon's economy is small businesses such as myself. The help and technical expertise we get through the Statewide Public Service program is vital for our success and strongly urge that these programs continue at a funding level that allows them to continue these services. Thank you for your attention and if there are other questions, feel free to contact me at my business address.

Sincerely,

Jason Pastega

Founder

Skout Natural Foods

PO Box 2421
Portland, OR 97208

From: Allyson Armstrong <allyson.armstrong@neilkelly.com>
Sent: Thursday, April 25, 2013 2:12 PM
To: waysandmeans budget
Cc: Kelly@cleanenergyworksoregon.org
Subject: Tried to testify, so I am writing this letter

I am writing this letter because I tried to testify at the ways and means road show but unfortunately there was not enough time for everyone.

My name is Allyson Armstrong and I am asking that you support Clean Energy Works at the 10 million dollar mark. I work for Neil Kelly Home Performance a CEWO trade ally. I became employed with Neil Kelly through Worksource Oregon and the On the Job training program. I went to work source Oregon for help in getting additional training after getting my Associates Degree in Building Inspection. With the economic downturn there were no job openings for building inspectors at that time. Worksource helped get me the additional certification I was seeking in Building Performance. Then worksource Oregon matched me to the On the Job training program. I spent a year working as an insulator doing hands on work but have since moved into my dream job as an Auditor. Approximately 90% of the projects we do have come from our involvement with Clean Energy Works. We have completed nearly 400 Clean Energy Works projects.

Through my employment with Neil Kelly I am paid a livable wage with benefits. I am able to support my daughter and myself with this job and I am in the process of purchasing my first home. Without Clean Energy Works I would not have a job. Please fund CEWO at the 10 million dollar mark.

Thank you,

Allyson Armstrong
Building Analyst



804 N Alberta
Portland, OR 97217
Office: 503-335-9252
Cell: 503-268-2906

Allyson.Armstrong@neilkelly.com



Please consider the environment before printing this e-mail

From: Ben Rousseau <BenR@Neilkelly.com>
Sent: Thursday, April 25, 2013 9:19 AM
To: waysandmeans budget
Subject: Testimony in support of Clean Energy Works Oregon

Joint Ways and Means Committee:

My name is Ben Rousseau. I am an energy auditor and I work for Neil Kelly Co., a CEWO (Clean Energy Works Oregon) Contractor. I'd like to share with you how the CEWO program has influenced me personally, and ask that you fund CEWO at \$10 million.

Before coming into the field of energy efficiency, I spent the past 10 years working in the manufacturing industry. With the downturn of the economy in 2008, the company I worked for shrank from 25 to 5 employees, and it soon came time for me to look at my options.

In 2010, I became unemployed with a family to support. I learned of the Energy Auditor role, and began meeting with local home performance contractors. At that time the Clean Energy Works Portland pilot program had just ended. I found that the industry had been rapidly growing with a potential market of over 100,000 homes in the Portland area alone in need of weatherization. All of the companies that I had met with had been growing, but, for several months, were experiencing a very slow period prior to the launch of CEWO. In fact, several contractors were laying off workers.

I found funding for training through the local WorkSource, and I was able to get the necessary certifications. Just as I completed my training CEWO launched and I received multiple job offers. Most contractors in Portland were hiring! This is proof to me that the demand for this work is there, but without a program like CEWO, the jobs are not.

I was able to find a position with Neil Kelly Co. as an Energy Auditor, and I've been with them for over two years now. This is not just any job. I am paid a good, living wage with benefits, as required by the CEWO program. I can now support my family, and I have recently purchased a new home.

CEWO has been improving the comfort, health and safety and energy efficiency in homes, reducing the carbon footprint and reliance on fossil fuels of the entire state, and positively affecting Oregon's economy.

Again I ask that you fund CEWO at the \$10 million amount.

Thank you,

Ben Rousseau
Building Analyst



804 N Alberta
Portland, OR 97217
Office: 503.335.9262
Cell: 971.400.5376



Please consider the environment before printing this e-mail.

From: Zoey Owens <zoey@pdx.edu>
Sent: Wednesday, April 24, 2013 4:25 PM
To: Sen Shields; Rep Frederick; waysandmeans budget
Subject: Electronic Testimony for Co-Chair's Budget

Greetings Senator Shields, Representative Frederick, Co-Chairs Devlin and Buckley, members of the committee,

Following is the testimony that I had planned to read at last night's (4/23) public hearing on the state budget at PCC Cascade Campus in Portland. I was on the 9th page of sign-ups for testifying, and did not get the opportunity to speak to you all. Thank you, however, for the opportunity to offer public comment, for holding public hearings, and for allowing electronic testimony. Thank you, furthermore, for your public service.

What follows is my written testimony.

Greetings Senator Devlin, Representative Buckley, members of the committee, and thank you for providing this opportunity for public comment on the proposed state budget – transparency and public accountability are so important in the budgeting process, especially in these difficult financial times.

My name is Zoey Owens, I'm a NE Portland resident and an undergraduate student of social work in my senior year at Portland State University. I'm also an individual who has struggled with mental illness and substance abuse throughout most of my life.

I am worried and I am saddened when I think of the \$125 million in potential cuts to critical health and human services that I understand the Co-Chairs' budget is built upon.

I am worried about the human cost of these cuts, when funding and services are already so inadequate. I am worried when I think about how these cuts may impact myself, my friends, my community – the people I work with, live with, and love. I am saddened that it seems like the inherent worth and dignity of Oregon's most vulnerable and marginalized communities has not been respected, or maybe even considered, while policies which disproportionately benefit the wealthiest Oregonians – those individuals, families, and corporations who were already the most able to ride out the current economic situation – that these policies may remain intact. I am saddened when I think that more equitable options may be overlooked.

I strongly urge you, Co-Chairs Devlin and Buckley and members of the committee, to choose more equitable options for balancing the budget. Reforming tax expenditures that disproportionately benefit the wealthiest among us is one very strong option, but overall you must choose to balance the budget in a way that promotes equity and supports the most disadvantaged in our state.

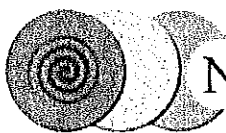
If you do this, I will be grateful; I will be relieved. I don't want to believe that our government representatives are more beholden to the wealthiest individuals, families, and corporations than they are to the majority of the general public, and if you are able to show your support for the much-needed health and human services work that needs to be done then it may help me challenge that belief which, on a national scale, is so pervasive and so hard to refute right now.

Thank you so much for your time, for the opportunity to speak to you, and for your public service.

~ Zoey Owens

PSU Student

NE Portland Resident



NIFTYFARE

Artisan food manufacturing for restricted diets
Portland, OR 97219

April 22, 2013

Dear Senator Devlin and the Hon. Members of the Ways and Means Committee:

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Sincerely,

Jennifer Lindsay

Owner/Nif in Charge

Niftyfare, LLC



info@skoutnatural.com
skoutnatural.com

a Portland ORganic Company

Oregon Legislature

Ways and Means Committee

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Jason Pastega

Founder

Skout Natural Foods

PO Box 2421
Portland, OR 97208

Date : 4/23/2013

Ways and Means Committee:

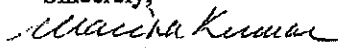
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Sincerely,


Marina Kumar

Takalina Foods LLC
www.takalinafoods.com
Ph : 503.467.6051





To Whom It May Concern:

Hello, my name is Amy Robinson. I have a small weatherization company in Portland. We began our business in 2008 with 2 people. When we first joined the pilot program for Clean Energy Works, we were able to hire an additional 2 part time staff who eventually turned into full time key members of our team that are still with us today. By a year after the launch of Clean Energy Works Oregon, we had expanded even more and today we have a total of ten team members all paid 180% of minimum wage or more. It is because of being involved in the CEWO program that we were not only able to expand our business and our staff, but we were also able to learn about the resources involved with hiring people such as Worksource Oregon and training such as Oregon Tradeswomen.

I know that I am not the only contractor that has been able to hire multiple staff members and whose business has directly benefited because of the CEWO program. I believe that funding CEWO at \$10,000,000 will continue to benefit small businesses around Oregon and continue to create living wage jobs.

Thank you for your time and consideration to this issue,

Amy Robinson
Balanced Energy Solutions, LLC
Owner

Balanced Energy Solutions; bringing comfort and performance home.

From: Julie M Bibler <jmbibler@bendbroadband.com>
Sent: Wednesday, April 24, 2013 9:51 AM
To: waysandmeans budget
Subject: written testimony for April 19th



Written testimony for Joint Ways and Means Committee hearing April 19, 2013

Co Chairs Devlin and Buckley and members of the committee, my name is Julie Bibler. I am the Director of the Children's Vision Foundation (CVF), a non-profit organization whose mission is to identify children who have potential visual problems, to encourage families and schools to seek professional eye care for identified children, and to raise awareness about the importance of early detection of vision problems.

I am speaking in support of the amendments to House Bill 2456. Our state policymakers did the right thing in exempting the charitable contributions from this bill. Many Oregon citizens' lives would be negatively impacted without many of the services provided from our Oregon non profits. Limiting the charitable giving tax incentive would make it hard to continue providing many of these critical services.

For instance, CVF is a small nonprofit organization that relies on grants and donations to support its foundation. Without that support, CVF could literally not provide free vision screenings to thousands of children every year. These screenings are critical to helping Oregon children succeed in school and in life. This school year so far, we have identified over 24% students with potential vision problems. With 80% of a child's learning done visually, identifying these students and referring them to professional care is crucial.

For many years, I've been working on children's vision issues with state leaders, including our past state treasurer Ben Westlund. Ben was a mentor of mine for many years. Ben unfortunately died of cancer in 2010. Right before his death, when I asked him if I could do anything for him, he replied "yes, Julie, you can get a vision bill passed and take care of these children with vision problems."

Currently, House Bill 3000 is in process this legislative session. Many years of teamwork have gone into this process on behalf of our children. Our children need a systematic, cost effective, statewide vision screening process to help them succeed. HB3000 bill is a step towards that process and will make a significant difference in our children's lives. However, it's an unfunded mandate. CVF, along with other nonprofit organizations, seek to help our Oregon children, including those from low income families. But with decreased resources, we would not be able to fulfill the need.

This is just one example of how specifically House Bill 2456 could cripple nonprofit organizations that are providing critical services to children without the fore mentioned amendment. Allowing charitable contributions to nonprofit organizations to be exempt so that people can continue supporting worthy causes is really important to making a difference in our state.

From: Misty Scevola <scevolama@gmail.com>
Sent: Tuesday, April 23, 2013 9:16 PM
To: waysandmeans budget
Subject: OSU Extension 4-H Volunteer

Dear Committee,

I am the biology and natural resources teacher at Meek Professional Technical HS in Portland and a recipient of the services of the OSU Extension 4-H Volunteer Program. My school is for At-Risk teenagers who have dropped out of school at one of the major high schools in Portland and have ended up at our school to finish high school. The services offered by the OSU Extension program have enabled my students to have experiences in STEM outreach (Science, Technology, Engineering and Math) that they would not otherwise be able to participate in.

66% of our students are on free or reduced lunch and cannot afford to go to workshops or would never get to experience such outreach programs. Because of the OSU Extension 4-H Volunteer program, students have benefitted in the following ways:

- Interview preparation
- Job coaching
- Mentoring program for younger children
- Science competitions (Underwater robotics MATE program)
- Underwater robotics workshops
- Teaching teachers about underwater robotics
- Forestry outings
- College Tours

Our 4-H Volunteer Liaison has been extremely valuable to a group of students that are already at a disadvantage. Students are touched in ways that they would otherwise never have access to. Keeping this funding brings equity for at-risk students who do not have the advantages that their wealthier cohorts have.

Please keep funding for the OSU Extension 4-H Volunteer Program.

Thank you.

Sincerely

Misty Scevola

From: Leigh Eicher <leigh.eicher@gmail.com>
Sent: Tuesday, April 23, 2013 8:35 PM
To: waysandmeans budget
Cc: Rep Greenlick; Sen Steiner Hayward
Subject: Ways and Means - Portland meeting

Hello Co-Chair Buckley, Co-Chair Devlin and Committee Members,

My name is Leigh Eicher, and I am from Portland. I was at the Joint Ways and Means committee meeting at PCC tonight, but did not have the opportunity to testify due to running out of time so I want to share it with you via e-mail. I am a cancer survivor, caregiver, and an advocate for the American Cancer Society Cancer Action Network.

- For the first time in 10 years, legislators have an opportunity to allocate funds from the Tobacco Master Settlement Agreement toward health and wellness efforts.

- Over \$1 billion in settlement funds have come into the State of Oregon since 2003, but not one penny has been dedicated toward tobacco prevention
- Investing in prevention and wellness efforts is an investment in future generations of Oregon by reducing health care costs associated with tobacco use. Tobacco costs Oregon \$1.25 billion in annual direct medical expenditures
- Oregon is one of many states that tied up Settlement Agreement funds in debt services - ways not envisioned in the original settlement. How we prioritize spending newly available funds matters.

In 2013-15, Oregon has access to \$120 million in tobacco settlement funds. - I would love to see Oregon lead by example, and use this money to fulfill the original purpose of the settlement and make sure the money is ***used in*** protecting our children from the harm of tobacco use.

I urge you to dedicate these funds toward the following priorities:

- o **\$73 million for health transformation** to fund Coordinated Care Organizations and community health initiatives to improve health outcomes and leverage federal matching funds
- o **\$35 million to children's health** by investing in physical education and school-based health care centers to reduce chronic illness, improve mental and oral health, and encourage healthy behaviors
- o **\$12 million to reduce smoking** by investing in tobacco prevention and education programs

Thank you for taking the time to visit Portland and for listening to our community's concerns about state budget priorities.

Kind regards,

Leigh Eicher

925 NW Hoyt Street, #224, Portland OR 97209

Ki

April 23, 2013

To: Joint Committee On Ways and Means
From: Paul Terdal, NW Portland
Re: Please SUPPORT SB365-A, Autism Health Insurance Reform

Chairs Rep. Buckley and Sen. Devlin, and Members of the Committee,

I am writing to ask you to support SB365-A, the Autism Health Insurance Reform bill, and to make this a budgetary priority. This bill:

- Establishes coverage and approval requirements for Applied Behavior Analysis (ABA) therapy – a leading, evidence-based treatment for autism recommended by the U.S. Surgeon General, American Academy of Pediatrics, American Society of Child and Adolescent Psychiatry, American Psychological Association, among many other governmental bodies and professional associations
- Streamlines the ABA approval process patients with autism who begin treatment before the age of 9, while maintaining existing legal requirements for coverage for older patients
- Creates the “Behavior Analysis Regulatory Board” within the Oregon Health Licensing Agency to license and register providers of ABA

Currently, there are 8,900 children in Oregon receiving special education services for autism – at a cost to the state of approximately \$200 million per biennium. With the right treatment at the right time, these children would need fewer supports, saving the state a substantial amount of money.

From a fiscal impact perspective, we know that Ways and Means will be assessing the cost of providing ABA therapy, and that Regence and other insurers will be providing cost estimates.

The best source available for the cost of an ABA benefit is from the Missouri Department of Insurance. After Missouri’s autism mandate (HB1311) took effect in 2011, the department began collecting actuals data from all insurers on the real cost of covering ABA therapy. In its’ February 2013, report, the department wrote:

“Between 2011 and 2012, claim costs incurred for autism services increased from \$4.3 million to \$6.6 million, of which \$3 million was directed to ABA services. These amounts represent 0.16 percent and 0.07 percent of total claims incurred, consistent with initial projections produced by the DIFP. For each member month of autism coverage, total autism-related claims amounted to \$0.38, while the cost of ABA treatment amounted \$0.17.”

In other words, the entire cost of all autism services for all insurers in the entire state of Missouri in 2012 – the second year of implementation – was \$6.6 million. Of this, \$3 million was for ABA services; the rest was for other services, such as speech and occupational therapy, that have been routinely covered by Oregon insurers since HB2918’s passage 2007. The actual cost of ABA treatment amounts to just \$0.17 – seventeen cents – per member per month.

We understand that Regence and other Oregon insurers have supported SB365 with the -5 amendments, and are asserting that they want to help Oregon children with autism get the care that they need. As parents of those children with autism, we certainly agree with that.

Up until now, Regence has been denying coverage of Applied Behavior Analysis (ABA) therapy on grounds that it is somehow "investigational" – despite:

- 17 decisions by Independent Review Organizations appointed by DCBS concluding that ABA is medically necessary, and overturning improper denials by Oregon insurers
- U.S. District Court ruling in Portland in McHenry v PacificSource on 1/6/2010 that "ABA therapy is firmly supported by decades of research and application and is a well-established treatment modality of autism and other PDDs. It is not an experimental or investigational procedure"
- Another U.S. District Court in Michigan on 3/30/2013 declaring that Blue Cross Blue Shield's "characterization and exclusion of ABA therapy as experimental or investigative... was, and is, arbitrary and capricious"
- Statement by Dr. Csaba Mera, Executive Medical Director for Regence, to the Autism legislation workgroup on 3/15/2011 that "there is sufficient evidence that children between ages 3 and 11 are helped (by ABA) – we're not arguing about that.... It works in younger children – it really does make a difference in their lives."

We had hoped that, with its' publically declared desire to help kids with autism, Regence would follow the admirable lead of Kaiser and Pacific Source in providing this coverage without delay.

Unfortunately, Regence appears to be doing just the opposite. We have learned that just last month – on 3/20/2013 – Regence began inserting new clauses into its' insurance contracts explicitly excluding coverage for ABA therapy – regardless of medical necessity. This would appear to be a direct violation of ORS 743A.168, Oregon's Mental Health Parity law, which requires coverage for "mental or nervous conditions" (including autism) "at the same level as, and subject to limitations no more restrictive than, those imposed on coverage or reimbursement of expenses arising from treatment for other medical conditions."

By imposing this new contractual exclusion, Regence is preventing consumers from using administrative appeals such as external review – and forcing them to litigate to exercise their legal rights – since no administrative appeal can overcome an illegal clause in an insurance contract.

As you evaluate insurer's estimates of cost, consider again that Regence first began excluding ABA coverage from its' contracts just last month – on 3/20/2013. Ask Regence about the cost reduction they passed along to their consumers when they removed ABA from their policies – that's the amount they should be able to claim as a cost "increase" for restoring this service.

Sincerely,

Paul Terdal

From: Rumbaugh Gina
Sent: Tuesday, April 23, 2013 9:14 AM
To: waysandmeans budget
Subject: FW: Testimony in Support of Using Tobacco Funds for Tobacco Prevention and Health Programs

—Original Message—

From: Rep Read
Sent: Tuesday, April 23, 2013 9:04 AM
To: Rumbaugh Gina
Subject: FW: Testimony in Support of Using Tobacco Funds for Tobacco Prevention and Health Programs

Hi Gina,

We would like to submit the text of the email below as testimony for the upcoming Ways and Means hearing in Portland for James Tyree. What is the best way to go about doing that?

Thank you,

Brian

Brian Powell
Legislative Aide
Representative Tobias Read, HD 27
Capitol: 503.986.1427
District: 503.641.6800
Rep.tobiasread@state.or.us

—Original Message—

From: advocacy@mylegislators.com [mailto:advocacy@mylegislators.com] On Behalf Of James Tyree
Sent: Friday, April 19, 2013 8:23 PM
To: Rep Read
Subject: Testimony in Support of Using Tobacco Funds for Tobacco Prevention and Health Programs

Dear Representative Tobias Read:

Please consider the following as my written testimony in response to the Ways and Means Committee Road Show.

For the first time in 10 years, legislators have an opportunity to allocate funds from the Tobacco Master Settlement Agreement toward health and wellness efforts. Over \$1 billion in settlement funds have

come into the State of Oregon since 2003, but not one penny has been dedicated toward tobacco prevention. Investing in prevention and wellness efforts is an investment in future generations of Oregon.

In 2013-15, Oregon has access to \$120 million in tobacco settlement funds. We are now in a position to fulfill the promise of the 1998 settlement agreement by protecting our children from the harm of tobacco use.

I urge you to dedicate these funds toward the following priorities:

- \$73 million for health transformation to fund CCOs and community health initiatives to improve health outcomes and leverage federal matching funds
 - \$35 million to children's health by investing in physical education and school-based health care centers to reduce chronic illness, improve mental and oral health, and encourage healthy behaviors
 - \$12 million to reduce smoking by investing in tobacco prevention and education programs
-

I hope I can count on you to wisely invest TMSA funds in Oregon's Tobacco Prevention and Education Program, health transformation investments, and children's health and wellness initiatives including investments in improved physical education in schools.

Sincerely,
James Tyree
9005 SW Caroline Dr
Portland, OR 97225-1339

From: Christine Wooley <christinewooley@me.com>
Sent: Monday, April 22, 2013 9:33 PM
To: waysandmeans budget
Subject: Ways & Means Hearings on State Budget April 23rd, 2013

Ways & Means Hearings on State Budget April 23rd, 2013 Talking points - Tobacco Master Settlement Agreement (TMSA) Funds

Hi my name is Christine Wooley, I am from Portland and a volunteer for the American Heart Association.

In the past 10 years Over one billion dollars in settlement funds from the Tobacco Master Settlement Agreement have come into the State Of Oregon to be dedicated toward tobacco prevention. Unfortunately, not one penny of this money has been spent for tobacco prevention.

And now, for the first time in ten years, our Oregon legislators have the opportunity to allocate those funds toward their original purpose, tobacco prevention.

As an Oregonian and a granddaughter that lost her grandmother to a smoking related death, I understand the importance of tobacco education. I know that with tobacco prevention programs we can save lives. I feel that we must capitalize on this opportunity to utilize these funds for their original purpose. We must help all Oregonians, especially our kids, live healthy lives.

Kindest Regards,
Christine Wooley
Mrs. Oregon International 2013

mrsoregoninternational2013.blogspot.com

Mobile: (503)312-2590
Email: christinewooley@me.com

Sent from my iPad



FOOD

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Andrea Ortiz

PeaceHealth



FOOD for Lane County is an equal opportunity provider and a member of



and the Oregon Food Bank Network

United Way
of Lane County



March 19, 2013

Dear Members of the Ways and Means Subcommittee,

I am pleased to offer this written statement as a follow-up to my in-person public testimony to the Committee today. I represent FOOD for Lane County and the Oregon Food Bank Network. We serve all residents of Oregon who are working hard to make ends meet, but still are struggling to put food on the table. The Oregon Hunger Response Fund has been a critical, vital link in helping us to meet the need. Let me tell you how we've used Oregon's investment at my food bank for capacity-building.

The Olivos family—a dad, mom, and four children ages 12 through 18 months --have lived near Cottage Grove for over 15 years. The father, Jorge, lost his good-paying construction job in 2008 due to lack of work. Unable to afford rent any longer, the family loaded up in their car and was living out of that car in the rest stop along Interstate 5 between Cottage Grove and Eugene. A truck driver told them about the food pantry in Cottage Grove, which is one of FOOD for Lane County's distribution sites. They were afraid to go, as they have never had to ask for help before. The Oregon Hunger Response Fund has helped us help families just like the Olivos family. With part of those funds, we've been able to hire a Multicultural Outreach Coordinator who supports all of FOOD for Lane County's distribution sites with ensuring that there are bilingual volunteers, staff, and signs and forms in both English and Spanish to help everyone who needs help. When the Olivos family went, they found that the food pantry in Cottage Grove was able to help them with their immediate food needs, and also connect them with other resources that put them back into stable housing and back in the job market. Due to the work of the Multicultural Outreach initiative, Spanish calls to the front desk have increased 64%, the pounds of culturally appropriate food distributed has increased from approximately 1,000 pounds to 20,747 pounds, and the percentage of food box clients who self-identify as Hispanic/Latino has increased from 6.2% to 9.7%.

The second key area in which Oregon Hunger Response Fund has been critical is to increase our capacity to capture donated food and bring it to the food bank. We've added a Food Resource Developer position to oversee the Fresh Alliance Program and food drives at FOOD for Lane County. She has added 15 new food drives, while continuing to retain a portfolio of nearly 600 established food drives. These drives brought in over \$120,000 in funds and 560,000 pounds in food. She added four new grocery stores this past fiscal year. The grocery store food recovery program in Lane County brought in 1.2 million pounds of perishable food that otherwise would have been thrown out.

Both of these positions are partially funded by Oregon Hunger Response Fund, grants, and locally donations. We've been able to reach more people, reach more diverse populations, and bring in more donated food because of you. The funds are critical--and they *are* what has allowed us to meet the increasing demands for our services during the recession. The Oregon Food Bank Network is asking for \$750,000 additional in this fund to continue to address the growing need for emergency food services in Lane County and across the state. We'll continue to use the funds judiciously to address key areas of need in each county and use it to leverage local community resources.

Sincerely,

Karen Edmonds

Karen Edmonds
Programs and Services Director



2011-2013
update

Oregon Hunger Response Fund

A partnership with the state of Oregon

State fund is key in fight against hunger

Public support for food banking efforts is critical in the fight against hunger in Oregon. The Oregon Hunger Response Fund (formerly known as the General Fund Food Program) invests in food and the capacity to move food to hungry Oregonians throughout the state. The fund is the state's contribution to the public-private partnership in food banks to effectively address hunger and its root causes. The 2011-13 legislatively adopted budget for the Oregon Hunger Response Fund is \$2,249,023 and it is administered by the Oregon Department of Housing and Community Services. It supports the 20 nonprofit regional food banks in the Oregon Food Bank Network, which serve more than 900 partner agencies, including 435 food pantries all across Oregon.

The Oregon Hunger Response Fund supports food banks throughout Oregon in a number of key ways. Funds are used to purchase and store bulk foods, both frozen and dry, and help offset storage and transportation costs. These foods, such as rice, beans, and frozen vegetables, are shipped to regional food banks throughout Oregon and become the building blocks of nutrition in emergency food boxes and meal programs.

Equally important, the Oregon Hunger Response Fund provides capacity-building resources to each of the 20 nonprofit regional food banks to support efforts to leverage more food donations, funds, equipment, and volunteers. These capacity-building funds are critical. Without them, there would not be sufficient staffing in the network to manage operations, recruit volunteers, provide nutrition education, organize food drives, and transport food.

2011-13 Outcomes

Oregonians' need for emergency food has remained at a high level since the passage of the 2011-13 state budget. Because of higher need and a decline in federal food commodities in 2012, Oregon Food Bank tapped \$2.5 million of its

Oregon Hunger Response Fund Highlights

(July 1, 2011 to June 30, 2012)

- ❑ 2,075,175 lbs. of food acquired through purchase and donations.
- ❑ 56,466 volunteers hours leveraged
- ❑ \$401,264 in matched donations
- ❑ \$100,100 in in-kind donations

The fund supported the following activities:

- ❑ Rural mobile food pantry programs
- ❑ Nutrition education and gardening classes
- ❑ Fundraising
- ❑ Transportation

Overall network outcomes:

- ❑ 985,274 emergency food boxes distributed statewide
- ❑ 260,000 families served monthly with emergency food boxes (34 percent children, 7 percent seniors)
- ❑ 3,732,913 meals served statewide

financial reserves to purchase, pack, and transport more food. This was unprecedented and unsustainable. The network distributed 81.7 million pounds of food in the first year of the biennium, the most in the history of the Oregon Food Bank Network. The network plans to distribute 81 million pounds in the final year of the biennium. Leaving the 2011-13 biennium, the network will have provided unparalleled levels of food and will have substantially depleted its financial reserves.

Oregon Hunger Response Fund in 2013-15

Food sources uncertain, more food needed

For the 2013-15 biennium, the Oregon Food Bank Network is expecting the same high level of need as the 2011-13 biennium. The Oregon Food Bank Network will continue to maximize local resources and community-driven efforts to fight hunger. The Oregon Hunger Response Fund will be used to acquire, repack, and transport food to food pantries and meal programs that feed hungry families throughout the state. Funds also will support efforts to maximize volunteer opportunities, recruit local businesses and community organizations to host food drives and fundraisers, increase food industry donations, and provide nutrition education.

Private sector support

Food donations from the food industry is the largest source of food for the Oregon Food Bank Network. Efforts to help the food industry find ways to increase its food donations will continue in 2013-15. This includes recovering food from grocery stores, food processors and farms. Unfortunately, private sector support is starting to show some limitations. Improvements in lean manufacturing and supply chain efficiencies, combined with growing secondary markets spurred on by increased food prices are eroding traditional sources of donated food.

To complicate matters for 2013-15, inflation in food prices has risen dramatically to approximately 5 percent. Historically, food price inflation has averaged 2.5 percent annually. This substantial increase will make purchases more

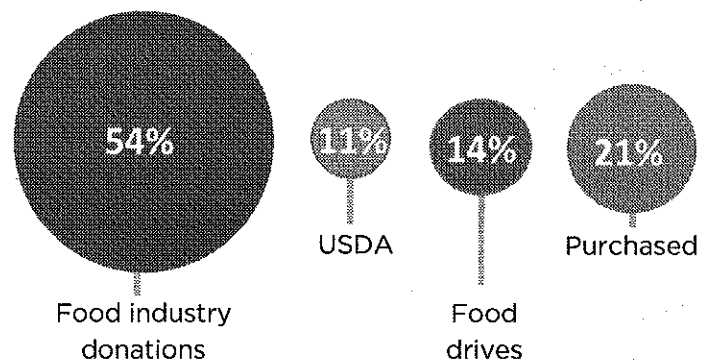
expensive for food banks even with discounted bulk-price rates.

Federal food support uncertain

Responding to the high levels of need in the 2010-2011 fiscal year, the United States Department of Agriculture (USDA) dramatically increased its food donations through The Emergency Food Assistance Program (TEFAP), providing the Oregon Food Bank Network with 18 million pounds of food. While the network benefitted greatly from this increase, TEFAP donations were less than half that amount in the 2011-12 fiscal year. A similar amount is expected next fiscal year. Based on recent congressional deliberations on the farm bill reauthorization and debt reduction, cuts to the Supplemental Nutrition Assistance Program (SNAP) are also expected. Both these projected declines would place tremendous pressure on food banks nationally and in Oregon.

FY 2011-2012 sources of food:

Oregon Food Bank Network



State investment critical for 2013-15

More than a half million Oregonians are food insecure. Hunger costs Oregon 2 billion dollars each year in health, education and charitable resources.

The Oregon Food Bank Network is seeking a \$3 million investment in the Oregon Hunger Response Fund in the 2013-15 biennium. This would acquire between 5 and 6 million pounds of food through leveraged donations and purchases to improve the food supply.