



Oregon

Theodore R. Kulongoski, Governor

Oregon Commission on Hispanic Affairs
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MINUTES

Oregon Commission on Hispanic Affairs

Thursday, April 16, 2009

8:25 AM - 4 PM

Morning session held at State Capitol, House Conference Room 470

Afternoon session held at Labor and Industries Building, Director's Conference Room 260

ATTENDEES

Chair: José Ibarra
Vice Chair: David Molina
Commissioners: Raymond C. Caballero, Lily Caceres, Erlinda Gonzales-Berry, Dr. Verenice Gutierrez, Dagoberto Morales, Nina E. Sobotta
Speakers: Representative Mitch Greenlick, Nancy J. Alvarado, Anabel Ortiz-Chavolla, Melissa Williams, Danny Santos, Joe O'Leary, Hon. Diego Castellanoz (teleconferenced), Jim Edge, Hon. Kate Brown, Don Hamilton, Jonathan Fernow
Guest(s): Gilbert Carrasco
Teleconference: Lilia Caballero

Introductions:

Chairman Ibarra introduced himself, OCHA Commissioners, and the new Executive Assistant for the Advocacy Commission, Joy Howard.

I. Representative Mitch Greenlick (D, HD33) Chair, House Health Care Committee [\(Click here to view complete bio.\)](#)

Updates on Health Care Bills:

Out of SB 239 plan, HB 2009 was created:

Establishes Oregon Health Authority Board and Oregon Health Authority and specifies duties, functions and powers. Transfers health and health insurance functions to authority from Department of Human Services and Department of Consumer and Business Services.

HB 2009 will be broken down into two parts:

- 1) HB 2009 to be presented at 2009 Legislative session
- 2) HB 2116 to be presented at next session

HJR 18:

Proposes amendment to Oregon Constitution establishing right of all Oregonians to equal opportunity to lead healthy and productive lives. Establishes obligation of state to ensure every legal resident of state equal access to effective, medically appropriate and affordable health care. Refers proposed amendment to people for their approval or rejection at next regular general election.

Rep. Greenlick has revamped this bill and is reintroducing it to the legislature. It has to happen at the national level. He recommended contacting Montana Senator Max Baucus to get more details about the bill and its current status in legislation on the Federal level.

Questions from the floor:

Q: Does HB 2009 tap into the general fund and therefore you're also facing the fiscal issue?

A: No and yes. There is some general fund money in terms of dividing it up and there will be some money involved in creating some of the things inside it. It is expected it will be paid for with money from the Federal Government. The taxes proposed will raise 6 million a biennium. That would bring a billion dollars of federal money to the government. It doesn't use general funds, but it takes away the ability to balance the budget by reducing hospital reimbursement rates which is the way it has been done in the past. It has general fund implications, even though it doesn't use general fund money.

Q: How do you see the status of Latino health?

A: Legal status is a significant hot button issue. The Medicaid population requires citizenship certification as a part of the process. The Latino population has lower insurance rates because members of the population often work in positions which offer no health insurance. It is very important to increase the access to health insurance to the Latino population through the Oregon Health Plan. In many communities Safety Net Clinics are the only care access for the Latino population. It's crucial that OHP works with Safety Net Clinics to make sure they stay active and funded.

Group Discussion:

Health care education in the Latino communities:

There is a fear among undocumented people that their children will not be able to receive health care because of their undocumented status. Undocumented children have been an issue throughout the country. Almost 90% of those children are documented. Only about 3% or 4% of children are undocumented. They were born in the U.S. and have been going to schools in the States.

Cultural Competency in health care facilities:

There have been incidents where undocumented people have been treated unfairly because of their legal status and they've not received the proper services they needed. It is crucial that cultural competency be a key piece in the training of health care workers.

- II. Ms. Nancy J. Alvarado, Member, Ontario School District Board
Ms. Melissa Williams, Director of School Improvement at Ontario Schools
Ms. Anabel Ortiz-Chavolla, Administrator, Ontario School District
([Click here to view PowerPoint presentation.](#))
Website: <http://www.ontario.k12.or.us/>**

The primary mission of the Ontario School District is to assist all students to reach their highest potential as contributing members of society through responsible use of available resources.

III. Approval of minutes of January 22, 2009 Meeting (Action)

- 1) Revisions/corrections were made
 - a) Attach draft resolution to Woodburn community for officers who died/injured in the line of duty to minutes.
 - b) Add minutes to website.

- 2) Motion:
 - a) Commissioner Caballero made motion to approve minutes. Commissioner Gonzales-Berry moved to second. Motion was passed unanimously.

IV. Nomination and election of officers for year July 1, 2009 – June 30, 2010. (Action)

- 1) Chairman Ibarra extended his thanks for allowing him to serve as the Chair during his tenure. It was full of challenges, but has been a wonderful experience working with everyone. Spoke on the importance of bringing up vital issues (e.g., immigration, education, etc.) and continuing to build momentum to throughout the Oregon communities.
- 2) Clarity on the role of the Vice-Chair is in the by-laws. If anything is going to be done on behalf of the commission, it needs to be approved by the executive committee or by the full board. Especially when commitments are made that require financial resources.
- 3) Nominations:
 - a) Chair –
 - i. Commissioner Caceres nominated Chairman Ibarra. Commissioner Gonzales-Berry seconded.
 - ii. Vice Chair Molina nominated himself. ([Click here to view letter.](#))
 - iii. Vote Results:
 1. Chairman Ibarra was re-elected as Chair by a vote of 5-3.
 - b) Vice-Chair –
 - i) Commissioner Caceres nominated Commissioner Caballero. Commissioner Gonzales-Berry seconded. Commissioner Caballero accepted the nomination.
 - ii) Commissioner Sobotta nominated Vice-Chair Molina.
 - iii) Vice-Chair Molina was not present to accept nomination. Position will be voted for at next OCHA meeting.

V. Working lunch and policy brief with Governor's Office:

Joseph O'Leary, Public Safety Policy Advisor - Pending legislation on deportation of felons

HB 3364:

Authorizes State Board of Parole and Post-Prison Supervision or county sheriff to release inmate to custody of United States Bureau of Immigration and Customs Enforcement under certain circumstances. There is a constitutional issue with this bill right now as outlined in Article 1, Section 44 of the Oregon Constitution.

That section prevents any mass conditional release without a resentencing (for the individuals who were sentenced since the time of that constitutional provision). The people who were sentenced and are still serving time before that constitutional provision are serving sentences for much more serious crimes.

Data from Department of Corrections (DOC):

- 1,162 criminal aliens in DOC custody = 8.3% of DOC's overall population of an estimated 14,000 total inmates.
- It costs an estimated 32.9 million a biennium to house 1,162 inmates.
- Of the 1,162 inmates, only 260 are in DOC for non-person felonies

Daniel Santos, Labor Policy Advisor - Monitoring Oregon foster care for children located outside Oregon

International Adoptions:

A few years ago a child who was born in Oregon to a U.S. citizen mother, an undocumented citizen of Mexico, was placed in foster care. Both parents were found to be unviable parents and the courts ultimately put the child up for adoption and terminated their parental rights. Department of Human Services (DHS) was able to locate family members in Mexico who were willing to be considered for adoption. DHS and the court decided to let the child be adopted by that family in Mexico. Tragically, mistreatment took place and ultimately the child died in the custody of those parents in Mexico. Uproar by the media and public has caused state officials to reassess the situation as ore adoptions are done internationally.

Hague provisions that were passed last year and adopted by Congress put a moratorium on any international adoptions for a 60 day period to review how those adoptions take place. The primary concern is the study done of the families in foreign countries and how those studies take place. And the subsequent of that is how the U.S. can work with foreign countries and their adoption programs to make sure that the welfare of the child continues to be monitored for those children in adopted families elsewhere. When a child is adopted out of the country, the state's responsibility does not end. They still continue to have a relationship and responsibility with those children.

The State is working to make sure that the home studies are adequately conducted and that visitation and/or supervision of these children and families continues to take place in those countries and that we have a better way of knowing what the situation is on the ground.

Questions from the floor:

Q: Do you think it would be helpful for OCHA to take a position on the undocumented students' legislative piece?

A: Yes, this commission has a responsibility to voice its opinions about pieces of legislation. Commissioners cannot get involved in election campaigns. However, there are statutory provisions to be advocates to the legislature which allows you to take positions on bills.

VI. Teleconference: Honorable Diego Castellanoz, Nyssa, Malheur County. Former Nyssa Mayor, current member of city council and Nyssa School District Board.

Website: <http://www.nyssa.k12.or.us/education/district/district.php?sectionid=1>

How to deal with at-risk youth in the Latino community:

Hon. Castellanoz spoke on the importance of leadership in the county and taking time with the at-risk youth. It is the community's responsibility to contribute to education and up-building of the youth. Commissioner Gutierrez volunteered her time to go and assist Hon. Castellanoz in working with their at-risk youth as she has experience in that area.

Questions from the floor:

Q: What is the Latino population like in your part of the State?

A: There used to be a large migrant population; but due to the seasonal work, the farmers are trying to save money. It is an economically distressed county. The large majority of people there make \$37,000 or less. A large majority of those (roughly 60%) are of Hispanic descent, and fall into the low income status. In Nyssa, 53% are Latino students. In the community, about 47% are Hispanics. A large majority of the work is seasonal onion sheds which run from Mid-August to

Mid-September. There are a number of Hispanics who work in the prisons as guards and support staff. There are also smaller numbers of the Latino community who work at a sugar warehouse.

VII. Jim Edge, DHS Assistant Director for Division of Medical Assistance Programs (DMAP)

(Click here to view PowerPoint presentation.)

Website: <http://www.oregon.gov/DHS/healthplan/>

The Division of Medical Assistance Programs (DMAP) oversees the Oregon Health Plan, which is a public/private partnership that ensures universal access to a basic level of health care for Oregonians. The division also includes provisions for oversight, research and analysis to achieve the best use of healthcare funding.

VIII. Honorable Kate Brown, Secretary of State (S.O.S.)

Website: <http://www.sos.state.or.us/>

The Oregon Secretary of State is one of three constitutional offices created at statehood. As an independent constitutional officer, the Secretary of State answers directly, and solely, to the people of Oregon.

Topics of interest to S.O.S.:

1) Voter Registration:

- a. Low turnout is an important issue. Looking for advice from the communities on how to improve those efforts.
- b. Working on an online registration bill. A tool for those who have a driver license or State ID card. Will use the electronic signature from that system as the electronic signature in the online voter registration system. Have used it successfully in Arizona and Washington. Just started using in Utah.

2) Make-up of Oregon Legislature:

- a. Not a very diverse body at this point in time and there are some things that can be done to change that. (i.e. Census – make sure we get everyone living in the state counted. This is a federal project but S.O.S. wants to be involved.)

Questions from the floor:

Q: Do you have any statistics for the voter turnout of the Latino community in Oregon?

A: According to the Census Bureau - Latinos make-up 10% of Oregon population. Latinos constituted 3% of votes in 2004 and 5% in 2008. 60% of Latinos nationally voted.

Commitment from S.O.S.:

Hon. Brown made a commitment that OCHA is free to use her office and their website resources. As far as money, her office can assist with monies used from the federal Help America Vote Act (HAVA). Can also contact Jackie (503-986-1523) to get events on the S.O.S.'s calendar.

IX. Jonathan Fernow, Education Specialist, Oregon Dept. of Education to speak on the Migrant Education Program.

(Click here to view PowerPoint presentation.)

Website: <http://www.ode.state.or.us/search/results/?id=99>

The general purpose of the Migrant Education Program (MEP) is to ensure that migrant children fully benefit from the same free public education provided to other children. To achieve this

purpose, the MEP helps State Educational Agencies and local operating agencies address the unique educational needs of migrant children to better enable migrant children to succeed academically.

X. Discussion and possible action on awards or resolutions. (Action)

- 1) Commissioner Sobotta read the Resolution from OCHA to the Woodburn community for the loss and injury of the Police Officers after the Woodburn bombing in December 2008.
 - a) On Monday, April 27, 2009 at 7 p.m. Chairman Ibarra will be reading the Resolution in Woodburn.
- 2) New Resolutions motioned and approved by OCHA to be drafted:
 - a) DreamAct - local legislative pieces
 - b) Attorney General Kroger's initiative to have an enforcement division in the Civil Rights Division

XI. Report: Executive Committee Monitoring: reporting, financing, internal review

- 1) In the absence of Administrator Hoang, Joy presented topics she wanted to see addressed at the commission meeting.
- 2) Resource lists:
 - a. Everyone please send their Latino based organizations and other useful contact information to Joy so she can create a resource list database.

XII. Report: Program Committee: Liaison, outreach and future meetings.

- 1) Joint Statement by State Latino Councils and Commissions: A Call for Action on the 2010 Decennial Census ([Click here to view](#))
 - a) The commission unanimously agreed to support this effort.
 - b) Chairman Ibarra will send letter to the newspaper and different media outlets.
- 2) Vice-Chair Molina left a document for the OCHA Luncheon Proposal ([Click here to view](#))
 - a) After discussion by commissioners, it is formally postponed for now.

XIII. Discussion and action on committees and committee assignments. (Action)

- 1) Advisory Committee:
 - a) Identify and designate people to be part of an OCHA Advisory Committee from different regions throughout the State (e.g. Ontario, Klamath Falls, Coos Bay, etc.)
 - b) Create a listserv of the advisors.
 - c) Have some type instrument so to communicate back and forth with them for about an hour and once or twice a year do a teleconference.

XIV. Discussion of Commission applicants.

There are several individuals who have applied to be on OCHA. The bylaws do not call for formal recommendations from the commission as a whole. However, the Governor's Office would like to hear recommendations from the commission individually for candidates before they make the appointments.

XV. Report: Development Committee: Website report

- 1) Vice-Chair Molina left report for commission to review in his absence. ([Click here to view](#))

XVI. Continuation of any pending discussion and action on OCHA's Committees and internal operations.

- 1) Commissioner Gonzales-Berry notified everyone that this is her last meeting. She will be pursuing other endeavors and building up her new business, Casa Latinos Unidos. She has thoroughly enjoyed working with everyone and wishes OCHA well as they continue to build

strong communities throughout Oregon. Chairman Ibarra thanked her for the time and dedication has put into OCHA and will continue to keep her posted of information about the commission and other information.

- a) Commissioner Gonzales-Berry filled out her resignation paperwork to file with the clerks of the Senate and sent it to Chairman Ibarra to fill in missing information she did not have.
 - b) She also agreed to be on the Advisory Committee.
- 2) Comments:
- a) Do not pack the presentations so close together. Have time to debrief and give recommendations which will assist in doing the biennial report.