

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	8 - 0 - 0
Yeas:	Frederick, Greenlick, Harker, Parrish, Thompson, Weidner, Gilliam, Tomei
Nays:	0
Exc.:	0
Prepared By:	Jennifer Kellar, Administrator
Meeting Dates:	4/13, 4/18

WHAT THE MEASURE DOES: Removes prohibition against health care representatives (HCR) admitting principal for treatment of mental illness.

ISSUES DISCUSSED:

- Limitations on authority of health care representative under Oregon Revised Statute (ORS) 127.540
- Measure eliminates one limitation from ORS 127.540
- Applicable provisions to advance directives and health care decisions
- Opponents assert measure provides potential disincentive to sign advance directives
- Advance directive measure application be retroactive or prospective
- Account illustrating basis for measure initiation

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Health Care Decisions Act was amended by Senate Bill 16 (2009) which grants HCRs the authority to consent to short term hospitalization. An advance directive allows a person to appoint a HCR to direct his or her health care when the person is unable. The HCR follows the person's desires as stated in the advance directive or tries to act in the person's best interest if the person's desires are unknown.