

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Senate Health Care

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Zena Rockowitz, Administrator

Meeting Dates: 4/29

WHAT THE MEASURE DOES: Clarifies that if a person has a valid health care directive or valid power of attorney for health care, as well as a declaration for mental health treatment, the declaration takes precedence over the other document.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Currently, Oregon has two kinds of advanced directives for health care. One relates primarily to end-of-life decisions and can cover all health and mental health issues. The second, which is specifically designed for mental health treatment, is called a “declaration for mental health treatment.” The law does not state precedence when an individual has both types of directives. House Bill 2368 clarifies that a declaration for mental health treatment prevails when there are two directives.