

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 05/13/15

Action: Do Pass The A-Eng Bill.

Meeting Dates: 05/13

Vote:

Yeas: 3 - Monnes Anderson, Shields, Steiner Hayward

Nays: 1 - Kruse

Exc: 1 - Knopp

Prepared By: Zena Rockowitz, Committee Administrator

WHAT THE MEASURE DOES:

Requires Department of Human Services to establish, by administrative rule, the responsibilities of a case manager who receives notice of a life-sustaining procedure for an individual, for withholding or withdrawing those life-sustaining procedures. Requires that notification to the person designated as the healthcare representative of any knowledge, documentation or other information be included in the administrative rule.

ISSUES DISCUSSED:

- Law provides safe harbor for physicians to follow in order to obtain informed consent for maintenance or withholding of end-of-life supports
- Value of having as much information as possible in end-of-life decision making
- Individuals with disabilities may present unusual circumstances
- Case manager does not know what their responsibilities are when they receive notice

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Current Oregon law (ORS 127.635) outlines life-sustaining procedures and steps to be taken in determining who may decide whether to remove life-sustaining efforts from an incapable adult. Once the responsible decision-maker is determined, the physician may proceed only after the Department of Human Services (DHS) case manager is given notice. However, it is currently unclear what the case manager is expected to do upon receiving the notice. House Bill 2369-A requires DHS to outline this process through administrative rule.