



**DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL**

MEMORANDUM

DATE: February 4th, 2016

TO: Honorable Floyd Prozanski, Chair
Senate Committee on Judiciary

FROM: Aaron Knott, Department of Justice Legislative Director

SUBJECT: SB 1552 – Advance Directives

This testimony is presented in support of SB 1552, which modernizes and refines the statutes governing advance directives.

BACKGROUND

Advance directives are an important way for persons of all ages, but especially seniors, to control their health care. Values about health care differ widely, and in the absence of explicit instructions, control can be taken away from a very ill person as to their own course of care. With an advance directive in place, a person can make sure they get the health care they need and don't get the health care they don't want.

Oregon has had an advance directive statute that is essentially unchanged since first enacted in 1993. While still largely a strong and functional law, Oregon's advance directive statute has two significant flaws. First, the forms required by the statute are inflexible. Second, the statutory form required by law can be exceptionally confusing and difficult to use.

SB 1552 corrects these two flaws. First, it would create a stakeholder committee that will be able to maintain a current and modern advance directive form via administrative rule. Second, it would streamline our form and for the first time make it user-friendly. The work group responsible for this legislation has taken a long-sighted approach to this statutory provision valuing ease of use and simplicity. We appreciate the advance directive workgroup's willingness to accept the changes suggested throughout the process by the Department of Justice.

CONTACT

Please contact Department of Justice Legislative Director Aaron Knott with any questions or concerns at aaron.d.knott@doj.state.or.us or 503-798-0987.