

**Testimony before the Senate Judiciary Committee
In support of SB 494**

March 23, 2017

Chair Prozanski, members of the committee

My name is Hilary Newcomb. I am a lawyer in private practice focusing on Estate Planning and Administration, and I am here today on behalf of the Oregon State Bar. I am a member of the Estate Planning and Administration Section's Executive Committee of the Bar which, among other responsibilities, helps clients with a variety of issues including end of life and long term care planning. Over the last two years I, along with members of the Elder Law Section, have participated in the work group stemming from the original bill which proposed updates to the Advance Directive process and form in 2015.

Our members are primarily concerned with making sure we can effectuate our clients' wishes. When a client comes to my office to discuss plans for long term care and end of life issues, we talk about how to communicate his or her wishes for future care in a way that family members, health care representatives, and medical providers will recognize and understand. When an individual is appointed as a health care representative for my client, I want to be sure that person understands what my client wants and is able to speak for them if and when the time comes.

The bar is supportive of the work completed in SB 494. This bill updates Oregon's current statutory advance directive form that many attorneys and health care providers are unsatisfied with. In addition, it will create an ongoing process to make sure the form remains up to date. The changes made in the bill will allow different clients with different needs to provide the information and direction that is appropriate for them, and will help ensure that medical providers are informed of their wishes. This is a solid first step in updating Oregon's Advance Directive process.

A large and diverse group of stakeholders came together on this bill, and I believe we reached a consensus that those of us in the elder law and estate planning community can be satisfied with. I encourage the committee to support this bill, and I'd be happy to answer any questions you might have.

Respectfully Submitted,

Hilary Newcomb