



**International Catholic Center**

for all men and women of good will to  
protect and preserve God-given life  
from true conception until true death

March 23, 2017

Chair Prozanski, Vice Chair Thatcher, and members of Judiciary Committee:

I am Mrs. Bernice Jones. I represent Life Guardian Foundation, a pro-life organization that protects the life of Oregon's most vulnerable and innocent citizens until true death. I and my organization are opposed to SB 494. Every person and a Health Care Representative ought to have the life affirming option to protect and preserve life.

The Form of an Advance Directive, Section 5 (pages 4-5) is provided to designate a Health Care Representative and an alternate when the Health Care Representative is not available. If the Health Care Representative believes that life support is not helpful, it can be stopped or not used. Helpful is not defined, thus helpful is whatever the Health Care Representative believes.

Life support can involve the use of a ventilator or pacemaker, but it can also be a heating blanket or antibiotics. Thus, life support can be not giving a blanket or antibiotics.

An Advanced Directive ought to be able to designate treatments and care to protect and preserve life.

If organs are taken, it must be after death, not near death. Near death means alive.

The following life affirming options are offered: (Excerpts from SB 494 are in black type; suggested life affirming options are in red.)

Additional Directions Regarding End of Life Care. Here are my desires about my

health care if my physician and another knowledgeable physician confirm that I am in a medical condition described below:

a. If it seems that death will be within hours;

INITIAL ONE:

I want to receive treatment and care to protect and preserve my life including hydration and nutrition by tube feeding.

I want tube feeding as my health care provider protects and preserves my life,

I DO NOT WANT tube feeding.

INITIAL ONE:

I want any other life support to protect and preserve my life.

I want life support as my health care provider protects and preserves my life.

I DO NOT WANT life support.

b. Permanently Unconscious. If I am unconscious I want treatment and care to protect and preserve my life. Do not shorten my life. Do not hasten my death.

INITIAL ONE:  I want to receive treatment and care to protect and preserve my life including hydration and nutrition by tube feeding.

I want tube feeding as my health care provider protects and preserves my life,

I DO NOT WANT tube feeding.

INITIAL ONE:

I want any other life support to protect and preserve my life.

I want life support as my health care provider protects and preserves my life,

I DO NOT WANT life support.

c. Advanced Progressive Illness. If I have a progressive illness that in an advanced stage, and I am consistently unable to communicate by any

means, swallow food and water safely, care for myself and recognize my family and other people, and it is very unlikely that my condition will substantially improve:

INITIAL ONE:

I want to receive treatment and care to protect and preserve my life including hydration and nutrition by tube feeding.

I want tube feeding as my health care provider protects and preserves my life.

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Deleted: Close to Death.

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Deleted: and life support would only postpone the moment

... [1]

Deleted: only

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Deleted: and it is very unlikely that I will ever

... [2]

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Deleted: and permanently

Deleted: only

Deleted: recommends

I DO NOT WANT tube feeding.

INITIAL ONE:

I want any other life support to protect and preserve my life.

Deleted: that may apply

I want life support as my health care provider protects and preserves my life.

Deleted: only

I DO NOT WANT life support.

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d. Extraordinary Suffering. If life support would not help my medical condition and would make me suffer severe pain, I want treatment to relieve my pain:

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INITIAL ONE:

I want to receive treatment and care to protect and preserve my life including hydration and nutrition by tube feeding.

I want tube feeding as my health care provider protects and preserves my life,

Deleted: only

I DO NOT WANT tube feeding.

Deleted: recommends

INITIAL ONE:

I want any other life support to protect and preserve my life.

Deleted: that may apply

I want life support as my health care provider recommends to protects and preserves my life.

Deleted: only

I DO NOT WANT life support.

C. Additional Instruction. You may attach to this document any writing or recording of your values and beliefs related to health care decisions. These attachments will serve as guidelines for health care providers. Attachments may include a description of what you

would like to happen if it seems that death will be within hours, if you are permanently unconscious, if you

Deleted: you are close to

have an advanced progressive illness or if you are have severe pain.

Deleted: suffering permanent and

#### 4. DIRECTIONS TO MY HEALTH CARE REPRESENTATIVE.

If you wish to give directions to your health care representative about your health care decisions, initial one of the following three statements:

[To the extent appropriate, m]My health care representative must follow my instructions.

My instructions are guidelines for my health care representative to follow when

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making decisions about my care.

5. DIRECTIONS REGARDING END OF LIFE CARE.

In filling out these directions, keep the following in mind:

• The term “as my health care provider recommends” means that you want your health care provider to **protect and preserve my life**, and that you **do not want anyone to hasten my death, shorten my life or take any organs for transplantation or any other purpose.**

Deleted: use life support if your health care provider believes it could be helpful

• The term “life support” means any medical treatment that maintains life by sustaining, restoring or replacing a vital function. [7]

Deleted: want your health care provider to discontinue life support if your health care provider ... [3]

SB 494

I want life support as my health care provider recommends **to protect and preserve my life.**

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I DO NOT WANT life support.

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INITIAL ONE:

I want to receive tube feeding **to protect and preserve my life.**

Deleted: d. Extraordinary Suffering. If life support would not help my medical condition and would ... [4]

I DO NOT WANT tube feeding.

Deleted:  I want tube feeding only as my health care provider recommends.

INITIAL ONE:

I want any other life support **ing treatment and care that will protect and preserve my life,**

Deleted: may apply

I want life support as my health care provider recommends **to protect and preserve my life.**

Deleted: only

I DO NOT WANT life support.

C. Additional Instruction. You may attach to this document any writing or recording of your values and beliefs related to health care decisions. These attachments will serve as guidelines for health care providers. Attachments may include a description of what you would like to happen if you are close to death, if you are permanently unconscious, if you have an advanced progressive illness or if you are suffering permanent and severe pain.

[(22)] (20) “Principal” means:

- (a) An adult who has executed an advance directive;
- (b) A person of any age who has a health care representative;

admitted to the hospital if:

(a) In the medical opinion of the attending physician, the patient lacks the ability to make and communicate health care decisions to health care providers;

5) A person appointed under subsection (2) of this section may not consent on a patient's behalf to:

(a) Mental health treatment;

(b) Sterilization;

(c) Abortion;

(d) Except as provided in ORS 127.635 (3), the withholding or withdrawal of life-sustaining procedures as defined in ORS 127.505; or

(e) Except as provided in ORS 127.580 (2), the withholding or withdrawal of artificially administered nutrition and hydration, as defined in ORS 127.505, necessary to sustain life.

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(6) If the person appointed under subsection (2) of this section knows the patient's religious preference, the person shall make reasonable efforts to confer with a member of the clergy of the patient's religious tradition before giving information to health care services on behalf of the patient.

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(1) "Adult" means an individual person who is 18 years of age or older.

(b) An individual person expressly authorized to make an anatomical gift on the principal's behalf by any record signed by the principal.

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5) "Decedent" means the remains of someone whose body or body part is or may be the source of an anatomical gift, and includes a stillborn infant or a fetus.

Deleted: a deceased individual

(A) A spouse, child, parent, sibling, grandchild, grandparent or guardian of the person who makes, amends, revokes or refuses to make an anatomical gift

Deleted: individual

(B) An adult who exhibited special care and concern for the person.

Deleted: individual

(b) "Disinterested witness" does not include a person to whom an anatomical gift could pass under ORS 97.969.

(8) "Donor" means a person whose body or body part is the subject of an anatomical gift.

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(9) "Donor registry" means a centralized database that contains records of anatomical gifts and Amendments, refusals and revocations of anatomical gifts.

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(10) "Driver license" means a license or permit issued under ORS 807.021, 807.040, 807.200, 807.280 or 807.730, regardless of whether conditions are attached to the license or permit.

(11) "Eye bank" means an organization licensed, accredited or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage or distribution of human eyes or portions of human eyes.

(12) "Guardian" means a person appointed by a court to make decisions regarding the support, care, education, health or welfare of an individual. "Guardian" does not include a guardian ad litem.

(13) "Hospital" means a facility licensed as a hospital under the law of any state or a facility operated as a hospital by the United States, a state or a subdivision of a state.

(14) "Identification card" means the card issued under ORS 807.021, 807.400 or 807.730, or a comparable provision of the motor vehicle laws of another state.

(15) "Know" means to have actual knowledge.

(16) "Minor" means a person who is under 18 years of age.

Deleted: an individual

(17) "Organ procurement organization" means an organization designated by the Secretary of the United States Department of Health and Human Services as an organ procurement organization.

(18) "Parent" means a parent whose parental rights have not been terminated.

(19) "Physician" means an individual authorized to practice medicine or osteopathy under the law of any state.

(20) "Procurement organization" means an eye bank, organ procurement organization or tissue bank.

(21) "Prospective donor" means an individual who is dead and has been determined

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by a procurement organization to have a body part that could be medically suitable for transplantation, therapy, research or education. The term does not include a person who has made a refusal.

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(22) "Reasonably available" means able to be contacted by a procurement organization without

undue effort and willing and able to act in a timely manner consistent with existing medical criteria necessary for the making of an anatomical gift.

(23) "Recipient" means a person into whose body a decedent's body part has been or is intended to be transplanted.

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(24) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(25) "Refusal" means a record that expressly states an intent to prohibit other persons from making an anatomical gift of an individual person's body or body part.

Thank you for your considerations. Let us stand together to protect and preserve the life of every person.

Respectfully,



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