

SB 768 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Channa Newell, Counsel

Meeting Dates: 3/23

WHAT THE MEASURE DOES:

Creates statewide directory for collection and distribution of advance directives. Allows principal, health care representative, attorney, or physician to submit advance directive, revised advance directive, or notice of revocation to directory. Allows rulemaking on manner of releasing information to authorized users of registry for treatment purposes. Places directory within Oregon Health Authority. Allows Oregon Health Authority to contract with private or public entity to establish and maintain registry. Establishes Oregon Advance Directive Registry Advisory Committee. Specifies information relating to identification of patient, health care provider, or facility is confidential.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

An advance directive is a legal document that appoints a health care representative to make health care decisions on behalf of an incapacitated person. The advance directive also allows a person to indicate their preferences for receiving life-sustaining treatment, such as tube feeding or life support. The advance directive takes effect upon a person becoming incapacitated. A person may also have a planning document called a POLST. The POLST is a physician's order, developed between a patient and health care provider, to address emergency treatments when a person has a serious health issue or is in failing health. POLSTS are stored in a registry that is accessible by health care providers and emergency responders to determine the proper treatment for a person who is in need of medical services and is incapacitated.

Senate Bill 768 establishes an advance directive registry, to be maintained and operated in a manner similar to the POLST directory, so that health care representatives and health care providers can access a person's advance directive from a centralized location.