

**Testimony of Arthur Towers, OTLA Political Director
In Opposition to HB 2622
House Judiciary Committee
February 15, 2017**

Thank you for the opportunity to testify before you today. My name is Arthur Towers, here on behalf of the members of the Oregon Trial Lawyer Association. Our members fight for consumers who have been defrauded or injured. We are particularly concerned with the rise in elder abuse, both financial and physical. Anecdotally, our members are reporting an increased number of problems in this area, and so I wanted to make sure that our concerns with HB 2622 are on the record.

We are concerned with two provisions of HB 2622.

The first is that HB 2622 contains a provision that exempts trust companies from the civil liability provisions of the vulnerable persons statutes. These elder abuse laws were put on the books for a reason, and we think that exemptions should be few and far between. In the 2015 session for example, there was an effort to put attorney-client privilege above the need for mandatory reporting. As strongly as we feel about the sanctity of attorney-client privilege, we were not comfortable with the wording of that proposal and opposed it.

The second is that reporting suspected abuse to governmental entities is optional, not mandatory, for broker-dealers, investment advisers and financial institutions. This is a gap in the bill that could be easily closed.

We urge the committee to adopt these two pro-consumer provisions. If those changes were made, we could support this bill.

Thank you for your time today.