

February 21, 2017

Oregon State Legislature
Senate Committee on Judiciary
900 Court St. NE
Salem, Oregon 97301

Re: Senate Bill 301

Chair Prozanski and Senate Judiciary Committee Members:

On behalf of Oregon's 62 hospitals, health care systems, and the patients they serve, the Oregon Association of Hospitals and Health Systems (OAHS) appreciates the opportunity to submit testimony on Senate Bill 301.

OAHS strongly opposes SB 301, legislation that would make it an unlawful employment practice to condition employment on refraining from using marijuana during non-working hours.

OAHS' opposition centers on two principal concerns:

- *Federal Preemption:* First, the federal Drug-Free Workplace Act requires hospitals that receive grants or contracts from the federal government to ensure a drug-free workplace. That requirement includes those who test positive for marijuana. SB 301 would put Oregon hospitals in a challenging position where they may not be able to comply with current hospital and federal workplace policies regarding marijuana.
- *Safety:* Second, and most importantly, OAHS is concerned about patient and employee safety. Hospital employees are trusted to provide quality care and a safe environment for patients every day. To that end, hospitals have developed strong drug-free workplace policies to ensure patient safety, reduce risk of unintended injuries, and reduce risk of mishandling confidential patient information. OAHS fears this legislation will create a much more difficult workplace safety environment, particularly in light of the fact that there are no currently available drug screening technologies capable of testing for marijuana impairment.

For all these reasons, we urge this committee to oppose SB 301.

Thank you for your consideration.

Andi Easton, OAHS