



OREGON CATHOLIC CONFERENCE

Oregon Catholic Conference
2838 East Burnside Street
Portland, Oregon 97214

*Representing the Archdiocese of Portland
and the Diocese of Baker on issues of public policy*

Testimony in Opposition to HB 4135

1. The Oregon Catholic Conference (OCC) is concerned about protecting the dignity of each and every person, especially those who are vulnerable.
2. Current Oregon law surrounding the Advance Directive for Health Care helps protect Oregonians from being denied food and water by a third party.
3. HB 4135 makes changes to the law that could result in eliminating some of these protections.
4. For example, Section 8, subsection 6 of the proposed law, seems to eliminate the provision that Advance Directive forms validly executed in other states would be “subject to the laws of this state.” Even in light of legislative counsel testimony in the House Committee on Health Care public hearing (2/7/18), the question remains as to whether provisions that contravened Oregon law in validly executed advance directive forms from others states would take effect in Oregon.
5. The Oregon Legislature must have clear oversight of the advance directive form, especially as concerns substantive changes to the form that could have implications for life-ending situations. Initial and continuous legislative oversight of any substantive changes to the form must be well-defined, practical, and clearly established. In the current proposal, there is a questionably worded provision for initial legislative oversight of the form, and follow-up oversight seems absent or effectively impractical. With regard to wording, the use of the word “ratify” in this context (Section 4, lines 21 and 32) seems inappropriate. **Legislative counsel clearly indicated in the House Committee on Health Care public hearing (2/7/18), that changes to the proposed bill are needed to clarify legislative oversight.**
6. The proposed changes to the Advance Directive form itself could allow a health care representative to make a life-ending decision for a person (who is not in an end of life condition) without their explicit consent.
7. **The Oregon Catholic Conference is disappointed that this proposed legislation, which has been very controversial, is being pushed forward during a short legislative session.** It deals with critical issues of life, death, and decision-making that should not be rushed.
8. The Oregon Catholic Conference and Providence are on different sides of this bill. Providence rightly supports the creation of an advance directive form that is more user-friendly and will allow individuals to better express a values-based approach to their end of life care. The Oregon Catholic Conference supports this vision, too – but not at the expense of removing protections currently in place for vulnerable Oregonians.
9. OCC is convinced that with a little more work, a bi-partisan bill on the advance directive is possible that preserves protections for vulnerable Oregonians at the end of life and at the same time updates the current form and allows Oregonians to more clearly express their values on end of life care.

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