

From the desk of Representative Andrea Salinas, Andrea Salinas 2/16/2018

YES on HB 4135



Updating Oregon's Advance Care Directive – Protecting Wishes and Beliefs

HB 4135 is a consensus bill in development for over three years

HB 4135 is compromise legislation resulting from nearly three years of discussions among a public stakeholder group that sought input from participants over several sessions to craft the bill under consideration today.

Over the past three legislative sessions, this concept has received five public hearings and four work sessions, all of which resulted in bi-partisan compromises that produced HB 4135.

Changes do NOT allow withholding of food or drink

HB 4135 maintains current protections and does nothing to change current law regarding withholding of food and drink. Regardless of any updates to the advance directive form, comfort care measures cannot be removed by a health care provider or a health care representative.

Legislative approval is required prior to adoption of new form

HB 4135 establishes a strict framework from which a stakeholder work group will update the current advance directive form. In order to adopt any changes the work group puts forward, they must present a proposal to the Legislative Assembly via a legislative concept, a bill.

Current form creates barriers and does NOT serve Oregonians well

- As long as Oregon's form remains in statute it is required to adhere to legislative form and style, making it difficult to interpret. Consequently, a high number of individual start, but fail to complete the form due to the binary nature of the "yes or no" check-boxes.
- Over the last 25 years there have been no changes to make the form more inclusive or allow information about personal or religious values and wishes related to health care decisions.
- Allowing the use of a notary will enable more people to complete the form to express their wishes. The bill also allows the appointed Health Care Representatives to accept the appointment in ways other than signature. This will encourage dialogue about being chosen, as the forms can be in place for many years. HB 4135 also allows two alternates to be chosen as these forms can be in place for many years.

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