



**TO:** Senate President Peter Courtney; House Speaker Tina Kotek; Senate Republican Leader Fred Girod; House Republican Leader Christine Drazan; & Members of the Joint Interim Committee on the First Special Session of 2020  
**FROM:** Disability Rights Oregon  
**DATE:** June 25, 2020  
**RE:** Oppose -11, -31, -38 Amendments to HB4212

Chair and Members of the Committee:

I write in strong opposition to -11, -31, -38 Amendments to HB 4212. These amendments would cut off access to justice for so many people with disabilities, especially when the state has failed to safeguard us.

This amendment would shield any “individual, corporation, association, firm, partnership, limited liability company, joint stock company or public body” for any acts or omissions related to COVID-19 so long as the person complies with guidance from the Governor or a state agency. The amendments applies to every line of business or activity, including healthcare, schools, and others.

However, throughout the COVID-19 crisis, Disability Rights Oregon have identified a series of substantiated complaints of healthcare discrimination, including discrimination that resulted from following State-issued COVID-19 guidance. Even when notified, the state has not taken action to remedy the problem. This leaves the Courts as the final avenue to access justice.

For example, we have received numerous complaints from consumers about hospitals refusing to modify policies as required by disability law during the COVID crisis, citing the Oregon Health Authority’s guidance documents. Hospitals must be held accountable when they fail to modify policies, as required by law, even if they have relied on state guidance.

We urge you to pick patients and consumers over powerful corporations. Please do not close off this avenue to access justice—oppose -11, -31, -38 Amendments to HB 4212. Further, any further negotiations about this matter should include consumers, including Disability Rights Oregon.

#### **ABOUT DISABILITY RIGHTS OREGON**

Disability Rights Oregon is a statewide nonprofit that upholds the civil rights of 950,000 people with disabilities in Oregon to live, work, and engage in the community. Disability Rights Oregon serves as a watchdog over state agencies and institutions as we work to transform systems, policies, and practices to give more people the opportunity to reach their full potential. For more than 40 years, the organization has served as Oregon’s federally authorized and mandated Protection & Advocacy System. Disability Rights Oregon is committed to ensuring the civil rights of all people are protected and enforced.