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CompassionAndChoices.org

June 25, 2020

Oregon State Capitol
900 Court Street NE,
Room 347
Salem, Oregon 97301

Re: SB 1606 relating to health care; creating new provisions; amending ORS 127.635 and 659A.142; and declaring an emergency

Chairs Senator Courtney and Representative Kotek,

Compassion & Choices is the oldest and largest national nonprofit organization dedicated exclusively to improving care and expanding options at life's end. On behalf of our 17,000 plus supporters in Oregon, we offer the following comments on SB 1606.

We support the overarching goals advanced by SB 1606 to ensure that individuals, particularly those who have a disabling condition, receive equitable access to healthcare without impediments and to designate support persons who are able to aid them during hospitalization. We also support the vast majority of the provisions in the legislation.

However, we strongly urge a clarification to Section 5 which in its current draft could chill and undermine the enforceability and effect of advance directives, POLSTs, and other legally designated health care proxies. In addition, it is essential to affirm that providers must comply with advance directives, POLSTs, and the decisions of healthcare proxies to avoid misinterpretations of Section 1 and Section 5. Specifically, we ask that the Joint Committee on the First Special Session of 2020 committee revise the bill by adding in a new section that specifically says:

- (a) Section 5 does not apply where the patient has an advance directive, POLST, or designated health care proxy for medical decision-making.*
- (b) Health care providers must comply with advance directives, POLSTs, and designated health care proxies for medical decision-making.*

This simple change will ensure that the bill achieves its intended goal of helping to protect people with disabilities, without diminishing the utility of advance directives, POLSTS and the authority of legally designated health care proxies for all populations.

Compassion & Choices is a strong advocate of equitable access to end of life care and the importance of patient-directed medical care. We appreciate the opportunity to provide comments and welcome working with the Committee to ensure this legislation safeguards an individual's duly expressed preferences and choices. If you have questions, please contact Jennifer Parrish Taylor, NW Regional Advocacy Manager, at jparrishtaylor@compassionandchoices.org or 503.347.1794.

Kindest regards,

Kimberly Callinan, CEO

Jennifer Parrish Taylor, NW Regional Advocacy Manager

Cc: Joint Committee on the First Special Session of 2020 members