

## SB 219 A STAFF MEASURE SUMMARY

### House Committee On Health Care

---

**Prepared By:** Oliver Droppers, LPRO Analyst

**Meeting Dates:** 5/18, 5/20

---

#### **WHAT THE MEASURE DOES:**

Requires Advance Directive Adoption Committee to submit a report to Legislative Assembly committees relating to judiciary and to health with recommendations for development, adoption, and administration of statewide advance directive registry. Sets date of September 15, 2022, for report and recommendations.

**Senate Vote:** *Passed. Ayes, 19; Nays, 5; Absent, 3; Excused, 3..*

**REVENUE:** *Has minimal revenue impact*

**FISCAL:** *Fiscal impact statement issued (minimal).*

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

No amendment.

##### **BACKGROUND:**

In 1993, Oregon adopted the first advance directive legislation in the nation. An advance directive is a legal document that appoints a representative to make health care decisions for another individual when that person becomes incapacitated. Additionally, it allows a person to provide directions and preferences on receiving life-sustaining treatments when one or more conditions exist, including the following: close to death; permanently unconscious; progressive fatal illness with inability to communicate, swallow food or water safely, care for self, and recognize family or others; and medical conditions in which life support would not help the condition and would make the person suffer permanent and severe pain. The advance directive does not apply when individuals can make their own health care decisions. A Portable Orders for Life Sustaining Treatment (POLST) is a medical order, signed by a health care professional, to inform medical staff treatment of options for an individual diagnosed with a serious advance illness. POLSTS are stored in a registry that is accessible by health care providers and emergency responders to determine the proper treatment for a person who is in need of medical services and is incapacitated.

House Bill 4135 established the Advance Directive Adoption Committee (ADAC), which is required to review the current advance directive form every four years. It specifies that future changes to the advance directive form require legislative action through a legislative measure before becoming effective in Oregon. In September 2020, the ADAC submitted a revised form to the legislature for ratification. Senate Bill 199 A revises Oregon Advance Directive form.

Senate Bill 219 A requires the Advance Directive Adoption Committee to report to the Legislative Assembly committees relating to judiciary and to health with recommendations for the development, adoption, and administration of a statewide advance directive registry for collection and distribution of advance directives.