



February 9th, 2021

House Committee on Healthcare  
Oregon State Legislature  
900 Court St. NE  
Salem, OR 97301

RE: Testimony in Support of HB 2362 Equal Access to Care Act

Chair Prusak and members of the committee,

My name is Andrea Valderrama and I am here representing the American Civil Liberties Union of Oregon (ACLU of Oregon). We are a nonpartisan, nonprofit organization dedicated to the preservation and enhancement of civil liberties and civil rights, with more than 28,415 members and supporters statewide. We support HB 2362, the Equal Access to Care Act.

We believe everyone in Oregon, regardless of income, citizenship status, gender identity or type of insurance, should have equal access to a full range of reproductive health services. Since its inception in 1920, the ACLU has recognized that personal privacy and reproductive freedoms are among our most important constitutional liberties. The ACLU was the first national organization to argue for abortion rights in the U.S. Supreme Court, and has continued to vigorously defend those rights.

Access to comprehensive healthcare services is essential for everyone, and is especially important during this devastating COVID-19 pandemic. Healthcare services are not accessible if they are not affordable, and consolidation without addressing these affordability issues furthers this inequity for those who need healthcare services the most --low income, elders, and Black, indigeous, people of color. SEIU's recently published white paper *Bigger Not Better: The High Cost of Healthcare Consolidation*<sup>1</sup> states, "In just four short years, the amount Oregonians paid for their healthcare increased nearly 29 percent — faster than the rest of the nation and outpaced inflation at a disturbing rate." From 2016-2018, Oregon was one of only 15 states in which the percentage of adults who went without care because of cost went up.

What is even more concerning is that, in addition to the increased cost of healthcare services during consolidation, the quality and accessibility of care is dramatically reduced. Patients are forced to pay more for less. National ACLU in collaboration with MergerWatch published a report *Health Care Denied: Patients and Physicians Speak Out About Catholic Hospitals and*

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[https://static1.squarespace.com/static/5c410100cc8fed8a660f968c/t/601b7068acc8534bedd0dbe5/1612410984357/Bigger+Not+Better+--+The+High+Cost+of+Healthcare+Consolidation\\_ANHO\\_Feb+21\\_FIN\\_AL.pdf](https://static1.squarespace.com/static/5c410100cc8fed8a660f968c/t/601b7068acc8534bedd0dbe5/1612410984357/Bigger+Not+Better+--+The+High+Cost+of+Healthcare+Consolidation_ANHO_Feb+21_FIN_AL.pdf)



*the Threat to Women’s Health & Lives*<sup>2</sup>, which recounts stories of women who were harmed or discriminated against when seeking reproductive care. RAND researchers also recently found that, following affiliations, rural hospitals were more likely to lose onsite imaging, outpatient non emergency care, and obstetric and primary care services after consolidation<sup>3</sup>. Quality and accessibility of care are rights that should be afforded to all, regardless of where you live or which healthcare services you need.

The effects of increased prices and decreased access to care will be felt deeply among Black, Indigenous and People of Color (BIPOC), whose health and economic stability have been disproportionately impacted throughout the pandemic, and further exacerbate health inequities in our state. A recent national survey found that more than one-third of Hispanic adults, nearly 3 in 10 Black adults, and more than 4 in 10 adults with pre-pandemic incomes below the federal poverty level reported that they were worse off financially in September than they were before the pandemic in March.

The COVID 19 pandemic will continue to force health systems to make cost cutting decisions. With consolidation being a likely path forward, Oregon must act now. Just like working families, independent practices, small clinics, and community-based hospitals have been stretched thin by the pandemic. This makes them vulnerable to being snapped up by larger health systems or private equity.

When it comes to decisions about health care services, medical standards and patient needs should be prioritized in order to ensure equitable access and affordability. We need a system that places patients at the center of all proposed healthcare deals, while also allowing flexibility to ensure successful partnerships. HB 2362 provides a process for proposed healthcare mergers, acquisitions, and affiliations throughout Oregon’s healthcare market — from service providers to insurance carriers — and ensures all transactions enhance access to low-cost, high-quality services.

**For these reasons, the ACLU of Oregon urges you to support HB 2362.**

Thank you,

Andrea Valderrama  
Policy Director  
ACLU of Oregon

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<sup>2</sup> <https://www.aclu.org/report/report-health-care-denied?redirect=report/health-care-denied>

<sup>3</sup>Arnold, Daniel and Christopher Whaley. [“Who Pays for Health Care Costs? The Effects of Health Care Prices on Wages.”](#) RAND Corporation Working Paper, July 2020.