



# Oregon Association of Hospitals and Health Systems

March 16, 2023

Oregon State Legislature  
900 Court St. NE  
Salem, OR 97301

*Delivered electronically via OLIS*

Chair Taylor and Members of the Senate Committee on Labor and Business:

The Oregon Association of Hospitals and Health Systems (OAHHS) is a mission-driven, nonprofit association representing Oregon's 62 community hospitals. Together, hospitals are the sixth largest private employer statewide, employing more than 70,000 employees. Committed to fostering a stronger, safer Oregon with equitable access to quality health care, OAHHS provides services to Oregon's community hospitals ensuring all are able to deliver dependable, comprehensive health care to their communities; educates government officials and the public on the state's health landscape; and works collaboratively with policymakers, community organizations, and the health care community to build consensus on and advance health care policy benefiting the state's 4 million residents.

Hospitals are more than just buildings; they are cornerstones within the communities they serve. Our hospitals are employers, partners in community projects, and community spaces—all while providing vital health services to generation after generation of families in communities across Oregon. We know that when our hospitals are strong, our communities win.

We appreciate the opportunity provide input on SB 907, relating to employees' rights to refuse to perform certain work assignments. We have concerns about how SB 907, as currently drafted, would impact hospitals' ability to meet the needs of their communities. We recommend that the bill be amended to mitigate these risks in hospitals and other health care settings.

Hospitals must be ready to care for anyone who comes through their doors at any time, regardless of the circumstances – 24 hours per day, 7 days per week. Maintaining this constant state of readiness and jumping into action when needed requires a reliable and agile team of health care workers.

The safety of our health care workers is a top priority no matter the circumstances, for workers' own sake as well as for the sake of those who need their help. Hospitals are subject to a broad array of laws and regulations to ensure the safety of hospital staff and the patients they serve. SB 907 would undermine the existing system of protections by introducing a new, ambiguous standard that relies on an individual employee's perception. By the time it becomes apparent whether an employee met the bill's standard for acting in good faith and reasonably, patients may have already been harmed. Especially in an emergency or other quickly evolving situation, individual employees—even acting in good faith—may not have all the information needed to evaluate the safety or health risks of a situation, and a hospital employer may not be able to provide a “reasonably calculated” response to

the employee's concern. Opening the door for employees to invoke vague standards about workplace safety, no matter how well-intentioned, jeopardizes a hospital's ability to maintain adequate staffing to care for patients. It may also threaten a hospital's ability to meet certain legal and regulatory requirements, such as those under EMTALA.<sup>1</sup>

SB 907 also allows an employee to refuse to perform an assigned task if it would "cause the employee to report to or remain at a worksite during an evacuation due to a major disaster or emergency." In disasters and emergencies, hospitals are frequently a core component of our collective effort to minimize suffering and death. Hospital care cannot be provided without hospital staff onsite. Depending on the disaster or emergency, a hospital may also need to evacuate, which would similarly require hospital staff to be onsite to move patients to safety. These are "all hands on deck" situations in which hospitals must have the ability to deploy staff in ways that maximize both worker safety and the safety of patients and communities.

Thank you for the opportunity to engage on behalf of our members and the communities they serve. We look forward to further discussion on this bill.

Thank you,

A handwritten signature in black ink, appearing to read "Andi Easton". The signature is fluid and cursive, with a large initial "A" and "E".

Andi Easton  
Vice President of Government Affairs  
Oregon Association of Hospitals and Health Systems

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<sup>1</sup> See [Emergency Medical Treatment & Labor Act \(EMTALA\) | CMS](#)