

# Briefing - Legacy Mount Hood Medical Center Family Birth Center

**BACKGROUND:** Community members alerted legislators that Legacy Health intended to close the Mount Hood Medical Center Family Birth Center in March. Legacy Health [has stated](#) that this closure is due to “a low volume of births with an unusually high-cost care model”. On average, the Center supports over 700 births per year. Geographically, the Birth Center serves Gresham, Oregon’s fourth largest city, and surrounding East Multnomah County communities. Additionally, Legacy Health has made more than **\$275 million in profits over the last four years, and has received nearly \$100 million in CARES Act funding.**

Legislators Zach Hudson and Ricki Ruiz, along with staff from Rep. Helfrich and Senator Gorsek’s office met with hospital administration to discuss the potential closure. **Legacy Health cited a \$15 million dollar per month loss and only 785 births, rather than the target of 1500 per year, as their motivation to close the center.**

**Legacy has two birthing centers side by side** at Emanuel and Randall’s Children Hospital.

Legacy must receive a waiver from OHA **before closing the Family Birth Center or face penalties.** Legacy was told a decision could take up to 30 days but did not file for a waiver until March 6. ***They intend to stop services March 17.***

## **SOME OF THE DETAILS:**

- The majority of **MHMC Family Birth Center clients are experiencing high risk pregnancies, are low income, and people of color.**
- **MHMC has the busiest Emergency Department in the state.** ER Docs from the center say that the ED staff is not trained nor do they have the staffing levels to handle **high risk labor and deliveries normally treated by highly skilled and experienced maternity teams.** The closure of the birthing center also means **no anesthesiologist skilled in epidurals will be available onsite.**
- MHMC serves a wide geographical area including as far east as Government Camp. Closure means **some patients may have to drive as far as 50 miles to receive care** as many hospital maternity floors are on divert.
- EMS providers will be impacted as high risk patients will need to be transported between hospitals. **Ground transports can take up to 10 hours.** Life Flight is often not available due to weather, and statewide transportation needs. Life Flight costs are extremely high. **MHMC clients often do not have transportation of their own.**



**Hospital licensing requirement:** [Oregon Administrative Rule \(OAR\) 333-500-0032](#) states that hospitals classified as a “general hospital” shall, among other requirements, provide at least:

- general medical;
- maternity; and
- surgical services.

**Waiver rule:** If a hospital wants to not comply with a rule, they can ask for a waiver under [OAR 333-500-0065](#). That includes the rule requiring them to provide maternity services. A waiver request must:

- be submitted in writing;
- identify the specific rule for which the waiver is being requested;
- identify special circumstances relied upon to justify the waiver;
- identify the alternatives that were considered, if any, and why alternatives were not selected;
- demonstrate that the proposed waiver is desirable
  - to maintain or improve the health and safety of the patients,
  - to meet the individual and aggregate needs of patients, and
  - shall not jeopardize patient health and safety; and
- identify a proposed duration of the waiver.

## LEGACY CLOSURE TIMELINE

**December** - Legacy announces staffing model change.

**Early January** - Three OBs quit in protest.

**Late January** - Community notifies Legislators of the impending closure. *Outlook* story Jan. 27.

**February 3** - Legislators and staff meet with Legacy Health CMO & President.

**February 9** - Attorney with Davis Wright Tremaine **attempts to “negotiate” waiver terms** on behalf of Legacy. OHA denies the request.

**February 11** - Town Hall is held in East County with a large number of upset constituents and medical staff.

**February 22** - Legislators meet with the Governor's office.

**February 23** - Legislators meet with MHMC Family Birth Center staff.

**March 6** - Legacy files waiver request with OHA. **Intends to close March 17.**

## HB 3592 – Requiring Equity Analysis Before Closing Legacy Mt. Hood

As Reps. Hudson and Ruiz were discussing the possible closure of the Legacy Mt. Hood Birthing Center with the Oregon Health Authority (OHA), it was discovered that the OHA does not require an equity analysis prior to issuing a waiver to allow for the closing of a hospital birthing center. HB 3592 requires the hospital system seeking a waiver allowing for the closing of maternity services to conduct an equity analysis. This analysis will consider impacts on pregnant people who are people of color, live in rural and frontier areas, experience disability, identify as LGBTQ, are low-income, and a member of any protected class, as defined under ORS 659A.003. The OHA will evaluate the analysis to ensure there are no adverse impacts on any of the analyzed populations in addition to the other requirements laid out in OAR 333-500-0065 before allowing a hospital birthing center to close.

**Contact: Melinda Bernert, Rep. Zach Hudson’s Office,**  
[melinda.bernert@oregonlegislature.gov](mailto:melinda.bernert@oregonlegislature.gov), 503-986-1449

