

TRAVIS NELSON
STATE REPRESENTATIVE
HOUSE DISTRICT 44
NORTH/NORTHEAST PORTLAND



HOUSE OF REPRESENTATIVES
Testimony in Support of House Bill 3592

March 21, 2023

Chair Fahey, Vice-Chairs Breese-Iverson and Kropf, and members of the committee,

I am Travis Nelson, State Representative for House District 44 (North and Northeast Portland). I am a Registered Nurse and the first openly LGBTQ+ Black legislator in the 164-year history of our great state. Committee members, I am here today in support of House Bill 3592. This bill would require an equity analysis to be conducted before any hospital can submit a waiver for closure of their maternity unit. Across the country, we are seeing a wave of hospitals closing their maternity units, often in rural and low-income areas. This disproportionately affects some of our most vulnerable populations, including women of color and those who are low-income and under-insured.

This bill is a direct result of Legacy Health moving to close the maternity unit at their Mount Hood Medical Center location. Legacy Health proceeded with the closure, despite the protest of providers at the center, and out of compliance with the waiver process mandated by the Oregon Health Authority. Legacy Health's Mount Hood location serves a wide rural area, with many BIPOC families and low-income and under-insured residents. Families in labor will now have to drive more than thirty minutes to deliver their babies, and the greater the distance to a proper labor and delivery unit, the greater the risk of complications and life-threatening developments to mother and child. Legacy Health proceeded with this closure, even with the knowledge that they would leave a large population without proper maternal healthcare.

It is time that we require hospitals to conduct an equity analysis before proposing closure of any unit, but especially the maternity unit. With the rise in restriction of access to abortion and reproductive healthcare, we are going to see a rise in the number of pregnancies carried to term. How are these people supposed to safely deliver those babies without access to medical support and services? If hospitals truly care about saving lives – over profit – then they should be investing in their maternity units, not closing them. It is time to hold hospitals accountable, and we can begin by requiring them to conduct an equity analysis prior to proposing closure. This analysis would ensure that there would be no adverse impacts on any of the analyzed populations before allowing a hospital to close its birthing center.

There is an unfortunate intersection between communities of color and those who are under-insured and low-income. These are the people that need access to equitable healthcare the most, and it is a disservice and a danger to restrict access to vital resources due to supposed monetary loss (as Legacy Health stated regarding the Mount Hood closure) or lower overall birth rates. If state and federal government are to continue to give hundreds of millions of dollars in funding to hospitals, then it only makes sense to require that they serve the populations in need and that, if they choose to close vital services, the community does not suffer adversely as a result.

Legacy Health has cited a loss of \$15 million per month and a yearly birth rate in the community of only 785 births (compared to the target of 1,500) as their motivation to close the Mount Hood Birthing Center. Meanwhile, Legacy Health has recorded more than \$275 million in profits over the last four years and as a non-profit, they have also received nearly \$100 million in funding through the federal CARES Act. The

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supposed monthly loss of \$15 million pales in comparison. The patients utilizing the Mount Hood Birthing Center are experiencing high-risk pregnancies and it is irresponsible of Legacy Health to expect Emergency Department staff, with 16 hours of training, to safely deliver those babies. The Mount Hood Medical Center has the busiest Emergency Department in the state and the providers and staff there have publicly stated they do not have the capacity nor the training to attend high-risk deliveries or even to administer epidural injections for women in labor to cope with the pain. That is unacceptable. And families in the area served by Mount Hood Medical Center would not be in this situation had Legacy Health been required to conduct an equity analysis prior to petitioning the closure of the maternity unit.

Conducting an equity analysis is not about creating more paperwork or a stalling tactic. It is a necessary step to ensure that we are not leaving people without care. OHA would greatly benefit from the data provided by an equity analysis when each closure waiver is submitted. This analysis would help the agency determine where the greatest need is for maternity services regarding vulnerable populations, while ensuring that the state does not develop broad coverage gaps. Every Oregonian deserves and needs proper health care. I urge you to pass this bill out of committee.

Thank you,

State Representative Travis Nelson
House District 44, North/NE Portland