



Oregon
Community
Brokerages

February 13, 2024

To: Rep Kropf, Chair, House Committee on Judiciary

From: Katie Rose, Executive Director, Oregon Community Brokerages

Re: Opposition to HB 4088-2, requiring hospitals to take action to protect hospital employees from workplace assaults

Chair Kropf and members of the committee,

Oregon Community Brokerages is comprised of the 14 Support Service Brokerages across Oregon. Collectively, we provide case management services to more than 7,500 adults with intellectual and developmental disabilities (IDD) living in their own or family homes in every community throughout the state. We connect people to what matters to them and support them to make the important decisions and choices that make up a life.

Hospitals are a fundamental community resource that provide essential medical services of all sorts to people in need. Hospital workers are the backbone of any hospital service, and they deserve to be safe while performing their duties. People with IDD must be able to access hospitals. In addition to the medical procedures and emergency services that we all rely upon hospitals to provide, people with IDD are routinely directed to hospitals for non-emergency care that requires additional resources and expertise to be rendered safely. We oppose any amendment, including the -2, that would change the carve-out language exempting people with IDD from this charge.

HB 4088 makes a felony offense of what is currently a misdemeanor. The base bill has a carve out for the IDD population and any other “*condition that significantly impairs the person’s judgment or behavior.*” The current bar for this charge is not high, especially for the IDD population, many of whom have acquired trauma responses to hospital settings, or combative behavior around painful or stressful situations. We want to ensure that fear of this combination of unpredictable behavior and life-changing penalties does not have a chilling effect on people with IDD accessing essential services from hospitals. People with IDD need to be well-supported to access hospital services, and they need to be free to do so without fear of felony charges.

We appreciate and support HB 4088 as introduced with a carve-out for the IDD population. We cannot support any bill that does not take care to consider the health and safety of our community members with IDD as well as the hospital workers we all rely upon.

Thank you for your consideration of these comments.