

Kara Hayden

2/10/2026

RE: Testimony in Opposition to HB 4074

To the House Health Care Committee:

As a colleague of many acute care nurses and a healthcare professional in Oregon I would like to comment on a few specific items in the proposed HB 4074 and offer my perspective on HB 4074 as a whole.

Section 3: The proposal in Section 3 to only notify cochairs is a transparency issue and a simple practicality issue in the event the cochair(s) are on PTO/leave which would bottleneck the information. The Hospital Association and hospital administrators are claiming it is administratively burdensome to report to the entire committee versus just the cochairs. Functionally, it doesn't take a meaningfully longer amount of time to write an email with the same deviation information to 1 person, 2 people or a group of people. The only difference is how many people you add to the address line of an email. And if the administrators use their email tools, they can create an email group to efficiently address this alleged burden while complying with the law, improving transparency, and practicing good communication skills.

Section 5: Self-attestation eliminates independent oversight and would prevent OHA from providing meaningful oversight. Self-attestation would result in performative adherence to the law with no functional measurable oversight. Without meaningful oversight, the staffing law would be useless and hospitals could just do whatever they want while checking a box. Are hospitals allowed to self attest that they follow JCAHO? No, they do sight visits and audits and do not just rely on self attestation because otherwise their accreditation would not be meaningful. Similarly, self attestation in this context does not make sense either and would seriously violate the mutually agreed upon intent of the original law HB 2697.

Section 7: I would emphasize this particular part of HB 4074 is particularly disingenuous in light of the fact they want to delay penalties until 2030. So if the funds do not exist, how would they even provide this uncompensated care? And who is going to even provide this uncompensated care if there are not enough nurses to provide it because the hospitals aren't staffing adequately? If put into effect would this not set up a perverse incentive to not staff so they get fined but then are getting paid back by the money from the fines they just paid out for not being staffed adequately?

I watched the entire testimony hearing and I must admit that my overall impression is that HB 4074 appears to have been created because a handful of hospitals, less than ten in the entire state, do not want to and have not come to the staffing committee table in good faith and now they are upset because the fines are real. I believe that is exactly what HB 2697 was intended to do. While these hospitals are rightfully upset about the fines and paperwork, they are doing everything they can to find a workaround solution to their problem when the solution is in front of them and has been since HB 2697's inception; follow the existing law. Going to their staffing committees in good faith, getting plans to OHA that comply with the law that meet quorum and take advantage of tools like arbitration to get the job completed will stop the fines and the violations. Hospitals were provided adequate lead time to meet with their staffing committees prior to the implementation of fines for violations and the majority of hospitals in all parts of the

state both rural, urban and in between have been able to comply. These particular hospitals have chosen not to get the work done and are now complaining about the ramifications which were abundantly clear in the staffing law from the beginning. The cost of the nurses needed and the improvement in retention and reduction in fines they would be facing would be a win win win for the community these hospital administrators profess so much concern over. Community members would have jobs, patients would have better care, turnover costs would be down and nurses would have better working conditions in which they can be satisfied and proud of rather than always feeling like they are treading water. Hospitals are rightfully upset about the fines they are accruing and time spent on paperwork and while that is concerning, it would appear they are missing the forest for the trees. If they took the time to meet in good faith with their nurses on their staffing committees and used the tools such as arbitration that have been offered to them, they would not have all of this paperwork, nor would they be accruing so many fines. Instead of buckling down and doing the work, the Hospital Association walked away from a workgroup and these hospitals that don't have staffing plans are wasting valuable legislative time during a short session to try and get out of complying with a law they previously agreed to. The bottom line is the majority of hospitals in Oregon are not suffering huge violations and fines or undue paperwork burden. Most hospitals have filed reasonable plans and are following them with positive outcomes in staff retention and patient outcomes as testified by several of the nurses during the committee hearing. I urge you to oppose HB 4074 and send a message to these hospitals to get back to the staffing committee table and do the work. Thank you for the opportunity to provide comment.

Kara Hayden MS SLP  
ONA member