
From: Oregon Federation of Nurses and Health Professionals
Re: Opposition of HB 4074
Date: 2/11/26

Chair Nosse, Vice Chairs Nelson and Diehl, and Members of the Committee,

On behalf of the Oregon Federation of Nurses and Health Professionals (OFNHP), we write in strong opposition of HB 4074. OFNHP represents more than 7,000 nurses and health professionals across Oregon and Southwest Washington who provide direct patient care. We appreciate your engagement on issues related to hospital staffing and patient safety, and we offer testimony based on our members' direct experience implementing Oregon's hospital nurse staffing law, HB 2697 (2023).

HB 2697 was enacted after decades of research demonstrating that enforceable nurse staffing standards reduce mortality, decrease complications, and improve nurse retention while reducing burnout. The Legislature's intent was clear: staffing standards must be enforceable in order to be effective. Its enforcement provisions were carefully debated in 2023, revisited again in 2025, and further examined during the interim workgroup convened by the Speaker. From our perspective, several provisions of HB 4074 risk weakening that enforceability in ways that could undermine the progress made since 2023.

Changes of the magnitude as proposed in HB 4074 are not compatible with a short session as they require time, data, and full participation from all impacted parties. Short sessions are designed to address urgent and narrow issues, not to reopen complex regulatory frameworks that directly impact patient safety and frontline healthcare workers. Advancing HB 4074 now would shortcut that process and risk unintended consequences that cannot be fully evaluated in the limited time available.

Most importantly, the current law is working in large part as intended. Hospitals were given ample time to comply with necessary changes to be in compliance, and the vast majority have done so. Where OHA enforcement has occurred, OFNHP experiences it reflecting failures to engage in good faith, not flaws in the statute that would require immediate attention on your part.

The members of OFNHP have experienced the main barrier to finalizing plans that remain open being the hospital management's prior and current refusal to allow the use of an acuity tool as outlined in HB 2697. These tools are commonly recognized mechanisms to address the complexity of patient care needs based on criteria such as medical diagnosis, cognitive status, mobility needs, and medication management to ensure quality patient outcomes and lowest risk for complications during a hospital stay. They allow for hospitals to quickly determine safe staffing levels necessary for the patient demographic they are caring for at that time, and are vital to appropriately meeting the unique and specific patient demands experienced in hospitals across Oregon every day.

At Kaiser Permanente, where OFNHP represents approximately 1,500 inpatient nurses, the staffing committee at Sunnyside Medical Center is just this month (February 2026) beginning conversations about the development of an acuity tool. At Westside Medical Center, the attempts to utilize an acuity tool to move towards agreement have been left without any response at all from the employer. The labor participants in these committees have shown good faith, thoughtful considerations, and prolonged professionalism in an attempt to develop staffing plans that support both patient care and employer interests. Additionally, there is a binding arbitration process through OHA in HB 2697 that, to our knowledge, has not been used to resolve these disputes at either hospital.

HB 2697 was developed with great intention to provide and encourage these pathways to prevent impasse and leave a hospital vulnerable to excessive penalties. We do not believe it is necessary to change the current statute as proposed in HB 4074 when potential solutions to hospital challenges being experienced are already very clearly in place.

Weakening enforcement through delayed penalties until 2030, or reduced accountability with caps on civil penalties, would effectively suspend the law without the thorough analysis such changes demand. Oregonians deserve laws that protect the quality and accessibility of the healthcare provided to them, which we believe is fundamentally available through current law without the proposed revisions in HB 4074.

We remain open to continued discussions during the interim if ongoing issues persist, where thoughtful, data-driven solutions can be developed with meaningful stakeholder input.

For these reasons, we respectfully urge you to oppose HB 4074 as currently written.

Sincerely,

Oregon Federation of Nurses and Health Professionals