



Testimony in Support of House Bill 3022

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House Committee on Business and Labor

Chris Hewitt

Thank you for the opportunity to provide testimony in support of House Bill 3022 on behalf of the Oregon Nurses Association. My name is Chris Hewitt and I serve as the ONA Deputy Director of Government Relations. ONA represents approximately 15,000 nurses throughout the state, providing care in almost every setting of our health care industry imaginable—staff nurses in both large and small critical access hospitals, school-based health centers, local public health departments, and some county corrections departments. ONA supports HB 3022 because it proposes a set of reasonable steps to streamline our state’s worker’s compensation system in ways that would ease the process for injured workers to get the quality medical care they need for returning to employment safely and expeditiously.

In a time where many nurses and health care workers may be increasingly experiencing mental and/or physical strain as Oregon’s system attempts to keep up with growing demand, the Quality Care for Injured Workers Act would better ensure that professionals are able to access affordable care following injuries incurred on the job in this rigorous employment sector. In 2017, health care and social assistance settings accounted for over 12% of all private industry accepted disabling workers’ compensation claims¹, among the highest rate of any single sector. Additionally, as the need for nurses working in hospital settings alone is projected to increase consistently by approximately 1.7% annually through 2025², policy solutions like HB 3022 that look to strengthen support for employee wellness, retention and job market re-entry in this critically important sector should be received favorably.

Among the many important elements of HB 3022, ONA would particularly like to highlight strong support for the elimination of an individual’s immutable characteristics being defined as pre-existing conditions in determining workers’ compensation claims. This standard can enable systematic denial of claims for entire worker demographics simply based upon one’s age, sex, disability or even ethnicity. This practice also notably runs inherently counter to our nation’s broader health insurance system that, under the Affordable Care Act, prohibits the denial of coverage based on pre-existing conditions. Our workers’ compensation system should be held to a similar set of patient-centered principles that prohibit routine denial of insured care simply based on an individual’s innate characteristics. By additionally taking steps to require that insurers cover costs associated with determining the fuller extent of a workers’ injury and

¹ Oregon Workers’ Compensation Division, *Accepted disabling claims by industry (NAICS), Oregon 2013-2017*. <http://www.cbs.state.or.us/external/imd/rasums/2055t/17web/table9.pdf>.

² Oregon Center for Nursing. “The Demand for Nursing Professionals in Oregon 2016”. <https://oregoncenterfornursing.org/wp-content/uploads/2014/09/2016-OCN-TheDemandforNursingProfessionals-Web-NEW.pdf>.



enacting deadlines for insurance companies to respond to authorization of treatment, HB 3022 would help better foster an environment wherein underlying health issues are treated more comprehensively and promptly.

Relatedly, the current workers' compensation system can also frequently lead to untenable financial circumstances for injured patients. As injured workers must take time away from their employment and income, this can result in an inability to pay for medical costs if their workers' compensation claim is also denied. Since regular health insurance plans typically do not cover work-related injuries, workers caught in such circumstances may have no choice but to move on to the Oregon Health Plan. These situations can result in shifting additional expenses to our state, during a time when the legislature continues its important work seeking to control costs to our system of care and is moreover exploring ways to secure vital new revenue to support chronically underfunded critical services.

The conversation around HB 3022 calls attention to a possible cost-shifting trend within our workers' compensation system that gives cause for concern and may merit further exploration to identify possible remedies, perhaps beyond even the elements comprised within this bill.

Our state has long embraced a commitment to expanding affordable access to quality care for patients while both reducing costs to our system and improving outcomes. HB 3022 would help better ensure that those values are also importantly reflected in Oregon's workers' compensation system by creating an improved process wherein injured workers can more adequately and swiftly receive appropriate benefits able to produce the strongest health outcomes.

ONA urges your support for HB 3022.