

## Legislative Fiscal Office

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## Joint Committee on Ways and Means

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**To:** Human Services Subcommittee

**From:** Kim To, Legislative Fiscal Office

**Date:** June 14, 2021

**Subject:** SB 567 – Relating discrimination in provision of health care.  
Work Session Recommendations

SB 567 defines terms and prohibits licensed or certified health care providers or individuals acting on behalf of a provider from denying, limiting, or restricting a medical service based on a patient's race, color, national origin, sex, sexual orientation, gender identity, age, or disability.

The measure is anticipated to have no impact on the Department of Justice, the Oregon Judicial Department, the Oregon Health Authority, and state health professional regulatory boards. There is an indeterminate fiscal impact for the Bureau of Labor and Industries (BOLI). The agency's Civil Rights Division investigates and enforces complaints related to unlawful practices and discrimination in place of public accommodations. BOLI notes that current investigators in this Division are not qualified to perform medical investigations that would indicate if a treatment that would benefit a patient was withheld based on a patient's race, color, national origin, sex, sexual orientation, gender identity, age, or disability. BOLI anticipates that the agency will need to contract with outside medical experts to review medical evidence, serve as witnesses at trial, and assist with rulemaking. At this time, the agency cannot predict the number of complaints it will actually receive as a result of this legislation. The agency will need to return to the Legislative Emergency Board or a subsequent legislative session to request funds depending on the actual costs incurred as a result of this measure.

The measure previously had hearings in the Senate Committee on Health Care on 3/3/2021, 3/8/2021, 3/17/2021, and was reported out with a do pass recommendation.

**Recommended Changes**

The -A6 makes clarifying wording changes and adds that nothing in this measure: (1) restricts the authority of a patient, or an individual legally authorized to act on behalf of a patient, to consent to or decline medical treatment; or (2) restricts a provider from providing objective information to the patient about the risks and benefits of treatment. LFO recommends adoption of the -A6 amendment.

**Final Subcommittee Action**

LFO recommends that SB 567, as amended by the -A6 amendment, be moved to the Ways and Means Full Committee.

**Carriers**

Full Committee: \_\_\_\_\_

House Floor: \_\_\_\_\_

Senate Floor: \_\_\_\_\_