



OFFICE OF THE DIRECTOR

Kate Brown, Governor

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Health
Authority

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Dear partner:

We want you to be aware that the Oregon Health Authority (OHA) has been closely reviewing the Oregon Crisis Care Guidance (CCG), most recently updated in 2018. Based on our thorough consideration of this topic, OHA will be launching a new process with health equity as its primary focus.

As you may know, beginning in 2014, a group of dedicated health care providers and experts, with the assistance of the OHA, convened workgroups to discuss and try to agree upon ways to provide health care in times of shortage – shortage of staff or other resources like medications or ventilators. In June of 2018 as an outcome of the workgroup meetings, the Crisis Care Guidance was issued.

However, the process to develop the current crisis care guidance did not include organizations or individuals representing Communities of Color, Tribal communities, or people with disabilities. OHA takes responsibility for this failure.

The current guidelines do not account for the fact that communities that have experienced long-standing health inequities due to social injustice and resulting in chronic disease may be disproportionately disadvantaged in the decision-making related to underlying conditions. Without representation from these communities in the guideline development, the guidelines have the potential to perpetuate discrimination on the basis of race, age or disability.

While the Crisis Care Guidance was intended to apply ethical principles to decision-making by health care providers during emergencies, it falls short of OHA's current core values that include: addressing clinical and social conditions, as well as the historical and contemporary injustices, which undermine health; respecting diverse cultures, populations, histories, and health practices; and consideration of the diversity of Oregon's communities as it makes policy decisions about how resources are distributed.

Because the Crisis Care Guidance does not adequately take into account the viewpoints of Oregon's diverse cultures and communities, OHA will no longer reference or rely on the 2018 Crisis Care Guidance.

It will be up to hospitals, health systems and health care providers to determine the extent to which they continue to rely on the Guidance, consistent with federal and state laws that prohibit discrimination on the basis of race, color, national origin, disability, age, sex or gender. Decisions about treatment should be based on an individualized assessment of the patient based on the best available objective medical evidence.

OHA acknowledges the time and effort that has been given to the development of the Crisis Care Guidance to date. We also wish to thank the Health Equity Committee of the Oregon Health Policy Board for its recent discussion concerning these issues and their valuable input.

Since, in times of crises, OHA and the state may be relied upon for issuing guidance or providing tools for health care providers to address health care resource shortages, it is important for OHA to lead a new effort and support the community in being fully engaged in the process. What that process will look like is unclear and OHA will be reaching out and providing opportunities for input and feedback on what shape this new effort should take, and what the outcome should be. While COVID-19 cases are declining and there are no acute resource shortages at this time, we realize that time is of the essence and OHA will move forward as quickly as it can, in concert with community partners. We ask for your patience as we navigate these important issues going forward.

Sincerely,



Dawn Jagger
Chief of Staff



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Chief Medical Officer