



**Oregon Chapter
American College of
Emergency Physicians**

**Statement for the Record
Senate Judiciary Committee
March 24, 2021
SB 780, Medical Liability Protections**

Chair Prozanski, Vice Chair Thatcher and members of the committee, please accept this statement for the record on behalf of OR-ACEP, the Oregon Chapter of the American College of Emergency Physicians. OR-ACEP represents emergency physicians on the front lines of caring for the people of our state impacted by the COVID-19 pandemic.

OR-ACEP supports SB 780, which limits liability for health care providers and hospitals for certain claims arising during the COVID-19 emergency period. There are exceptions for acts or omissions constituting gross negligence, fraud, deceptive practices and for delays or cancellation of non-urgent or elective procedures not based on a reasonable interpretation of the available medical evidence that puts a patient at risk of irreversible harm.

The chapter also endorses the provision in the bill that maintains remedies for whistleblower protections.

In support of this bill, we would point to the unprecedented nature of this pandemic, which requires that emergency physicians and our colleagues provide the best of care under extreme circumstances, including periods of enormous ongoing increase in the volume of patients, scarce resources, and clinical trials to determine appropriate treatments. While emergency doctors and nurses have been trained to deal with a high volume of emergencies, the nature of the pandemic creates an extraordinary strain on both resources and the well-being of those providing treatment and care. We believe that physicians, nurses and other providers responding to this crisis must be empowered with the flexibility to make difficult decisions that provide the best patient care possible under the most dire of circumstances and should not later be subject to penalization through tort provisions not written for a time such as this.

Chapter President- Chris Strear, MD, FACEP

Chapter Executive- Liz Mesberg

President-Elect- Chris Richards, MD, FACEP **Government Relations Director-** Katy King

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SB 780 provides temporary liability protections for the duration of the pandemic for health care professionals who are screening and treating COVID-19 and other patients under challenging circumstances when the normal standard of care was impeded by limited access to needed capacity, medication or equipment. Emergency physicians are proud to be of service during these extraordinary times and ask for your support of this bill.

Thank you for your consideration.

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