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Testimony of Arthur Towers

OTLA Political Director

In Opposition to House Bill 2076

Before the House Committee on Health Care

March 23, 2021

Chair Prusak, Vice Chairs Hayden and Salinas, members of the Committee, thank you for the opportunity to submit testimony on this bill. OTLA is opposed to elements of the bill that limit transparency and accountability.

OTLA members fight for civil rights, victims' rights, workers' rights, and consumers' rights. In the context of this bill, we are concerned about the rights of those injured due to negligence or violations of protocols in the delivery of emergency health care.

We do not have a position on the underlying goals of the bills, but there are specific provisions that promote secrecy and shield potential wrongdoers from responsibility for their actions.

When families are seeking justice or closure after the injury or death of a loved ones, they want answers and they want to make sure what happened to their family happens to no one else.

Secrecy Provisions

We are concerned about the provisions of Section 9(4) that make all written reports received by the Emergency Health Care System Advisory Board confidential, nondiscoverable, and inadmissible. That language is so sweeping that any family that sought to get information that had been submitted to the board would be completely stymied. There are additional problematic provisions in Section 9.

Similar language appears on page 13 in Section 26.

Ducking Accountability

There are a variety of provisions that grant immunity from liability. For example, Section 29 on page 15 health care providers that operate in the guidelines are immune from liability even if they engage in discriminatory behavior,

mistreatment of workers or are negligent in ways that do not violate the letter of the guideline.

Section 46 on pages 21 and 22 also contains overbroad immunity language.

Resources to compensate injured Oregonians

Section 73(3) on page 35 sets the insurance requirement for a license to operate as a nontransport EMS service. We believe that given the potential serious injury that the insurance minimum should be \$1,000,000.

We look forward to working with other stakeholders to resolve these issues.