



February 16, 2023

House Committee on Judiciary
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

Re: House Bill 2919

Delivered electronically to: OLIS

Chair Kropf, Co-Chairs Andersen and Wallan, and members of the committee:

The Oregon Association of Hospitals and Health Systems (OAHHS) is a mission-driven, nonprofit association representing Oregon’s 62 hospitals. Together, hospitals are the sixth largest private employer statewide, employing more than 70,000 employees. Hospitals are more than just buildings; they are cornerstones within the communities they serve. Our hospitals are employers, funders of community projects, and community spaces—all while providing essential health serves to generation after generation of Oregonians. We know that when our hospitals are strong, our communities win. OAHHS is committed to fostering a stronger, safer Oregon with equitable access to excellent health care.

We appreciate the opportunity to provide our support for HB 2919. HB 2919 provides that a registered nurse providing patient care in good faith is immune from criminal liability for any act or omission that is part of provision of care. The immunity does not apply to offenses for which the culpable mental state is knowingly or intentional.

Not too long ago, a criminal case involving a nurse in Tennessee made headlines. The case impacted nurses far beyond Tennessee, adding stress, creating fear, and jeopardizing efforts to create a culture of safety in health care. Many organizations issued statements in response to the conviction of the nurse. The following statement captures many of the concerns we have with the criminalization of patient care errors:

“The verdict in this tragic case will have a chilling effect on the culture of safety in health care. The Institute of Medicine’s landmark report *To Err Is Human* concluded that we cannot punish our way to safer medical practices. We must instead encourage nurses and physicians to report errors so we can identify strategies to make sure they don’t happen again. Criminal prosecutions for unintentional acts are the wrong approach. They discourage health caregivers from coming forward with their mistakes, and will complicate efforts to retain and recruit more people in to nursing and other health care professions that are already understaffed and strained by years of caring for patients during the pandemic.” *Robyn Begley, DNP, RN*, chief nursing officer of the American Hospital Association, and CEO of the American Organization for Nursing Leadership.¹

¹ Statement in Response to the Conviction of Nurse RaDonda Vaught, Press Release Chicago, March 28, 2022 available at: <https://www.aonl.org/press-releases/Statement-in-Response-to-the-Conviction-of-Nurse-RaDonda-Vaught>



We appreciate that Representative Nelson and Senator Gelser Blouin sponsored this important bill. This bill supports nurses, and we support this bill to support them. We also support this bill to support our communities, which will benefit from a culture of safety in health care.

Thank you for the opportunity to engage on behalf of our members and the communities they serve.

Thank you,

A handwritten signature in black ink, appearing to read "Andi Easton". The signature is fluid and cursive, with a large initial "A" and "E".

Andi Easton
Vice President of Government Affairs
Oregon Association of Hospitals and Health Systems