

**MAXINE E. DEXTER, MD**  
**STATE REPRESENTATIVE**

DISTRICT 33



## **HOUSE OF REPRESENTATIVES**

**To: Members of the Senate Committee on Healthcare**

**Date: March 27, 2023**

**Subject: Support [SB 408](#) -1**

Chair Patterson, Vice Chair Hayden, and Members of the Committee:

For the record, my name is Dr. Maxine Dexter, and I am honored to be the State Representative for House District 33, which includes NW & Downtown Portland, Linnton, and Cathedral Park. I respectfully submit this testimony in support of Senate Bill 408, which will create a scope of practice review committee.

It is common for Oregon legislators to hear from health care practitioners seeking to expand or change their scope of practice to perform a different range of procedures, processes, and other activities when treating patients. The complexity and implications of scope of practice changes can be quite significant, and the legislature is often unable to fully vet and understand downstream impacts as well as patient-centered outcomes when making decisions about scope changes. We, as legislators, are often not medically-trained professionals, and most will not have a nuanced understanding of the need for or implications of a scope of practice change. Our process is a political one, inherently influenced by invested interests rather than what is best for patient care. We simply don't have sufficient time and insight to make decisions that fully center the health and safety of patients.

As a specialty physician who has participated in several discussions around scope of practice decisions since I was appointed in 2020, I can say confidently that our process needs improvement. The changes we consider here in the legislature have clear impacts on the health of Oregonians and their access to care. We all will benefit from creating a reliable and thoughtful process that prioritizes the health of Oregonians over all other considerations. To do this, we should create methodologies to bring the expertise of those who are most informed about the scope question to guide our decision-making.

Senate Bill 408 establishes an Independent Scope Commission in Oregon, housed at the Oregon Health Authority, to assess proposed expansions of a medical provider's scope

and inform state legislators before they make these important decisions. But, to be clear, the legislature would maintain its full authority to vote on scope of practice proposals. Through a reliable and rigorous process, the scope commission members will consider patient safety and access to care to make an informed recommendation to the legislature. Their non-binding recommendations and findings will be shared with the appropriate committee(s) and OHA, giving legislators the benefit of their time and expertise when making a final decision.

Per the -1 amendment, for each scope question, a temporary scope of practice review panel will be appointed. It will consist of at least 5 temporary members, two who are recommended by the group or entity requesting the scope change, two other clinicians who will be impacted by the scope change, and the OHA Director or a designee of the Director. Importantly, the membership will be temporary and will vary based on the scope change being considered.

This is a process already being successfully applied in several other states, including Texas, West Virginia, Nebraska, New Mexico, Arizona, and Connecticut. There is precedent in Oregon as well –we have a similar process for consideration of workers comp issues with the Management Labor Advisory Committee (MLAC).

I am thankful for the collaboration of fellow healthcare professionals, Chair Patterson and Representative Reynolds, for their partnership in developing this legislation. I urge the committee to support SB 408 with the -1 amendment, supporting lawmakers' ability to optimize our decision-making with patient health and access to care centered in the process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maxine Dexter', written in a cursive style.

Representative Maxine Dexter, M.D.  
House District 33  
*NW & Downtown Portland, Linnton, & Cathedral Park*