



Legacy Health

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February 13, 2024

House Committee on Judiciary
Oregon State Legislature
900 Court Street NE
Salem, Oregon 97301

Submitted electronically via OLIS

Re: House Bill 4088

Chair Kropf and Members of the Committee:

Legacy Health is a nonprofit health care provider serving the Portland-Vancouver and mid-Willamette Valley areas with an integrated network of care providers in more than 100 primary care, urgent care, and specialty care clinics, and six community-based and nationally recognized hospitals.

On behalf of the almost 14,000 people we employ, Legacy Health supports the language in HB 4088, which provides hospital workers the same protection under the law as 39 other states - including Washington - which have enhanced criminal penalties for assaults against hospital employees. Oregon Statute, ORS 163.165, already includes professions, like hospital staff, which are required to serve all members of the public: emergency medical service personnel, youth correction facility staff, public transit vehicle operators, and taxi drivers.

Legacy is deeply concerned, however, that the language in HB 4088 would exclude “. . . a hospital that primarily provides inpatient mental health treatment to adults and adolescents who are between nine and 17 years of age and emergency psychiatric care for adults 18 years of age or older” from the enhanced penalties of assaulting a hospital worker. ORS 163.165 already includes protections for mentally ill or impaired patients who may be violent but are not able to form criminal intent.

Excluding those who work in a behavioral health setting creates an inequity between these workers and their counterparts in other hospital care settings. It also sends a message that workers in this particular care setting do not have the same value as those working in other care settings. Legacy supports language that considers the circumstances of the individual committing the assault rather than creating a blanket exemption for the care setting where the assault occurs.

Hospitals have a legal and moral responsibility to care for all patients, regardless of the risk, and it is our duty to do all we can to protect the safety of our employees. As a result, Legacy has an extensive security plan for all our clinical units. It includes increased security staff, metal detectors at public entrances, and extensive staff training to improve how we manage aggressive behavior within our facilities.

Thank you for your consideration.

Sincerely,

Kecia M Kelly

Kecia M Kelly (Feb 12, 2024 16:26 PST)

Kecia M. Kelly, DNP, RN
Senior Vice President and Chief Nursing Office