

February 19, 2025

House Committee on Economic Development, Small Business and Trade

Testimony of Allison Hickey, Bend, OR

No on House Bill 3140

Chair Nguyen and members of the Committee, my name is Allison Hickey. I was born and raised in Beaverton and moved to central Oregon for an active, outdoor lifestyle. In 2023, I accomplished a lifelong goal of obtaining my Doctorate in Physical Therapy and was fully enjoying my career in Bend, helping people recover from injuries and return to activities they love. I could have never imagined finding myself in dire need of physical therapy myself, but here I am.

On June 8, 2024, I attended the Sisters rodeo with a group of friends. I was in the sold out spectator crowd of 5,500 people when a bull named Partybus jumped the fence and into the crowd. I'm assuming most of you heard of what happened on that day, as the viral videos made national news. I was not the woman in the red shirt who was tossed like a ragdoll, I was the person that the bull immediately landed on. The weight and force of the bull drove me into the ground, shattering my shoulder, among other injuries, and then he sprinted off through the crowd injuring more people.

When I was examined, my shoulder was so badly injured, that the first surgeon told me it couldn't be repaired. He said the best I could hope for was returning to 40-50% function in the future. I don't know if any of you have experienced a doctor telling you your career is over just as it is just getting started, it's a feeling that I can't put into words. I met with a second surgeon who was optimistic about surgery, and thought he could get me to 80% of what I had. So, approximately two weeks after the Sisters Rodeo, that surgeon performed what's called open reduction, internal fixation surgery on my shoulder, installing hardware – a 3-4" plate and 10-12 screws to hold it all together. The hope is that I'll heal enough by next month for the surgeon to open me up again and take the hardware out.

As it stands today, my shoulder strength is still very weak, I can't sleep on that side and it still hurts to the touch. The hardest part has been time away from my work. I had to take 4 months off and while I'm finally back to part time, I've had to change my body mechanics to do anything hands on at work. In addition, when working with patients with upper extremity injuries, instead of physically demonstrating what my patients need to do, I can only verbally explain to them the movement – because I can't do it myself. When the hardware does come out, I'm looking at another 6 weeks of recovery, building back up the muscle from the first surgery, and there is no guarantee of what I will or won't be able to do professionally or in my personal life. One that was once filled with hiking, backpacking, kayaking and sports in general. The future truly is unclear.

If I understand this bill correctly, instead of following the current law in Oregon, it creates a special exception that allows operators of sports, fitness and recreational activities to be negligent and takes away the rights of Oregonians, like me, who are injured by their negligence. Instead of addressing the issue head on – the rising cost of insurance premiums, which all Oregonians feel today – the cost of this bill will be paid by the shattered shoulders, broken bones, ruined lives, and deaths caused when these operators don't do what they were supposed to do. The rising cost of insurance may be a problem, but taking away the rights of injured parties is an unconscionable solution. As a lifelong Oregonian, and as a Central Oregonian who celebrates the outdoors, **I'm urging you to vote No on HB 3140.**