



# Oregon

Tina Kotek, Governor

## Residential Ombudsman & Public Guardian Advisory Board

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March 20, 2025

To: The House Committee on Judiciary

Re: HB 3080 Opposition

As members of the Oregon Residential Ombudsman Public Guardian Advisory Board (ROPGAB), we are writing in opposition of HB 3080, an Act that expands the list of people who can make health care decisions for a person who is not able to do so.

ROPGAB oversees the Office of the Long-Term Care Ombudsman (OLTCO) including its programs of the Residential Facilities Ombudsman (RFO), the Long-Term Care Ombudsman (LTCO) and the Oregon Public Guardian (OPG). The statutory directives for the Board also include advising the legislative Assembly on issues related to the agency, its programs, and the Oregonians served by the agency. The ROPGAB Board members represent decades of experience in geriatrics, mental health care, brain injury, long-term care, elder law, guardianship, advocacy for individuals with disabilities, and as caregivers ourselves.

We oppose HB 3080 due to these significant concerns:

- Healthcare decisions for an incapacitated individual should only be made by someone who was either voluntarily chosen by that person or after full legal due process has been carried out.
  - This Act provides for neither of these critical factors.
- Individuals not voluntarily chosen by an incapacitated person or by due process and legal oversight would be appointed as de facto guardians over major health decisions for the incapacitated person.
- The Act creates a process where a medical provider would have sole discretion to decide who is incapacitated and needs an alternate decision maker.
- These appointed individuals would be given broad powers to make major decisions for another person without any training or oversight, based solely on familiar or other relation to the incapacitated person.
  - This could create a high risk for abuse or harm.

We urge you to oppose HB 3080 in this legislative session and are available for testimony or additional information if needed.

Sincerely,

Mark Williams  
ROPGAB Board Chair

*The Residential Ombudsman & Public Guardian Advisory Board monitors the agency, the Office of the Long-Term Care Ombudsman and advises the Governor and Legislature pursuant to ORS 441.416-418. Seven members are appointed by the Governor and four by the Legislative Leadership.*

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