STATE SENATOR SARA GELSER

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Oregon Legislature Unanimously Approves Legislation to Guarantee People with Disabilities Access to Families and Support Staff while in the Hospital

SALEM – Today, the Oregon State Legislature unanimously passed Senate Bill (SB) 1606 to guarantee that Oregonians with disability can see their family and support staff in the hospital to provide disability related supports.

Senate Bill 1606, which championed by Senator Sara Gelser (D-Corvallis) also safeguards the independence of people with disabilities by prohibiting hospitals from withholding healthcare on the condition that a person with a disability has signed an end-of-life order or POLST. Senate Bill 1606 will take effect immediately upon signing by the Governor, which could be as soon as next week.

"During this pandemic, draconian hospital visitor policies have denied Oregonians with disabilities access to the people they trust to facilitate care and assist with disability related needs. Alone in the hospital, they have faced increased pressure to consent to Do Not Resuscitate and Do Not Intubate (DNR/DNI) orders and have been denied accommodations to participate in their own care planning. One patient was even denied a ventilator until Disability Rights Oregon intervened," said Senator Gelser. **"In the face of such discrimination, many people with disabilities have elected to avoid or delay medical care. Others died alone in the hospital after they did seek care."**

"During this health crisis, Disability Rights Oregon has received a steady stream of complaints of healthcare discrimination from every corner of Oregon and from nearly every hospital system. Today, this important legislation makes it clear that the rights of Oregonians with disabilities must be respected during this crisis," said Jake Cornett, Executive Director of Disability Rights Oregon. **"This is an important step and I look forward to continuing to work with the Legislature to further safeguard the rights of people with disabilities and older adults in Oregon."**

The First Special Legislative Session of 2020 was intended to focus on emergent issues created by the COVID-19 pandemic. After hearing from people with disabilities and their loved ones across the state about

the urgency of the situation, Gelser said she approached Senate President Courtney who agreed to introduce the bill just days before the start of the session. He agreed to do so in part because of broad support from Republican and Democratic members who expressed their desire to address this crisis.

"Today we are grateful for the leadership shown by the Oregon Legislature as they heard the combined power of hundreds of voices of people with disabilities and their families," said Leslie Sutton, the Policy Director for the Oregon Council on Developmental Disabilities. **"No longer will people with disabilities be denied the disability support they need from people they trust while in the hospital."**

"**As a public health advocate, I understand why we are limiting visitors during a global pandemic but when someone cannot speak for themselves due to a disability, or cognitive impairment or because they are dying, we must ensure a support person can be bedside, especially when life or death decisions are being made,**" said Representative Rachel Prusak (D-West Linn/Tualatin) who carried the bill in the House.

"SB 1606 ensures end of life decisions are voluntary and it makes certain people with disabilities can access the support they need at the hospital," said Gelser. **"I am certain this bill will save lives and am grateful that it will go into effect as soon as the governor signs it. I am hopeful it is a strong reminder that the civil rights protections enjoyed by aging and disabled people under state and federal law must be respected. Even during a pandemic and even in a hospital."**

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