

**Testimony before the Senate Judiciary Committee  
In support of HB 4135**

February 21, 2018

Chair Prozanski, members of the committee

Good afternoon, my name is Christopher Hamilton. I am a lawyer in private practice at the Law Offices of McGinty Belcher & Hamilton, Attorneys, P.C. here in Salem focusing on Elder Law and Estate Planning and Administration, and I am here today on behalf of the Oregon State Bar. As an Elder Law and Estate Planning Attorney, I help clients with a variety of issues including end of life and long term care planning.

Over the last three years members of the Estate Planning and Elder Law Sections of the Oregon State Bar have participated in the work group stemming from the original bill which proposed updates to the Advance Directive process and form in 2015. We have engaged in this process in order to provide legal and technical expertise to decisionmakers regarding how the current form works and the impact of proposed changes.

When a client comes to my office to discuss plans for long term care and end-of-life issues, we talk about how to clearly communicate his or her wishes for future care in a way that family members, health care representatives, and medical providers will recognize and understand. When an individual is appointed as a health care representative for my client, I want to be sure that person understands what my client wants and is able to speak for them if and when the time comes.

The bar is supportive of the work completed in HB 4135. This bill updates Oregon's current statutory advance directive form, which many consumers find difficult to understand and to use. In addition, it creates an ongoing process to make sure the form remains up to date. The changes made in the bill will allow different clients with different needs to provide medical providers with the information and direction that is appropriate for their particular circumstances, and will help ensure that medical providers are informed of a client's wishes. This is a solid first step in updating Oregon's Advance Directive process.

A large and diverse group of stakeholders came together on this bill, and I believe we reached a consensus that those of us in the elder law and estate planning community can be satisfied with. I encourage the committee to support this bill, and I would be happy to answer any questions you might have.

Respectfully Submitted,  
Christopher Hamilton