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Oregon Senate Judiciary Committee
Via e-mail to: sjud.exhibits@oregonlegislature.gov

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Chair Prozanski, Vice Chair Thatcher, and Distinguished Members of the Senate Judiciary Committee:

I write today on behalf of the Lane County Medical Society in support of House Bill 4135. Establishing a regulatory procedure for updating advance directives to reflect the advancement of medical knowledge helps Oregonians express their wishes clearly and accurately. The physicians of LCMS want to put their patients' desires first. HB 4135 promotes that goal.

First, HB 4135 will not address Voluntary Stopping of Eating and Drinking (VSED) after a loss of capacity. Disability Rights Oregon supported the bill in their House testimony, certifying that this bill does not impact that issue. You should rest assured that HB 4135 is not an attempt to backdoor a particular solution to that issue. As a society of medical providers, we do want a resolution of that issue through a public process, but that is not what this bill does.

Second, I want to pass on my grandmother's story. Sally Leighton fell and broke her hip on a wet day at my parents' house in Eugene. Although surgeons quickly repaired the hip, Sally made the choice to stop eating and drinking. As her healthcare proxy and a lawyer with advanced training in bioethics, I had a long conversation with her and her healthcare providers. She was not depressed, had full capacity, and enjoyed the company of her children and grandchildren as they came to visit. She simply decided that it was her time. Although it was not the decision I would have made, I accepted that my perspective at 40 was different than hers at 92. She received palliative care and kept capacity for over a week. She died comfortably and at peace two weeks after initiating VSED.

I credit the Legislature's foresight in passing the advance directive bill, easing my grandmother's passing. However, along the way, I saw many gray areas left in the spaces between the basic choices offered. A periodically updated form would allow a more complete statement of desires, allowing families and healthcare providers to abide by the patient's wishes, rather than guessing or interpreting. Updating the form represents an advance in patient autonomy, and in comfort for their families and providers. I encourage you to pass HB 4135.

Sincerely,



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Executive Director