



Disability  
Rights  
Oregon

FOR IMMEDIATE RELEASE:  
June 25, 2021

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## Major legislative win for Oregonians with disabilities: stronger protections to tackle bias in healthcare

### SB 567 combats discrimination that puts lives of people with disabilities at risk

**Portland, Oregon**—Today, Oregon’s leading statewide disability rights organization praised the legislature’s passage of a bill that ensures Oregon’s Crisis Care guidelines can never again be discriminatory. Disability Rights Oregon applauded the passage of SB 567, saying it will give Oregonians greater clarity about their rights to be free from unlawful discrimination and bias in the healthcare system. The bill, which was introduced and championed by Senator Sara Gelsler, passed despite strong opposition from some in the healthcare industry.

Since the beginning of the pandemic, Oregonians with disabilities were sounding the alarm bells that they faced real risks of discrimination in accessing healthcare. They warned that this bias could put their lives at risk. Tragically, their concerns were born out: There were many cases in Oregon of healthcare being rationed to people with disabilities.

**“This legislative victory is a major step toward bringing to an end the pervasive bias in healthcare that cost Oregonians with disabilities their lives during this pandemic or robbed them of care and treatment that they deserved,”** said Jake Cornett, Executive Director of Disability Rights Oregon. **“In honor of the neighbors who we lost to this bias, we must do everything we can to prevent discrimination from influencing healthcare decisions every again.”**

**“Thank you to Senator Gelsler, Senator Knopp, Senator Patterson, and Senator Steiner Hayward for their steadfast leadership in shepherding this bill through the legislative process,”** said Meghan Moyer, Policy Director of Disability Rights Oregon.

SB 567 clarifies that it is unlawful for an individual licensed or certified by a health professional regulatory board, hospital, a long term care facility, an ambulatory surgical center, a freestanding birthing center, an outpatient renal dialysis facility, or an extended stay center to discriminate on the basis of a protected class by:

- denying medical treatment to the patient that is likely to benefit the person based on an individualized assessment of the patient using objective medical evidence; or
- limiting or restricting in any manner the allocation of medical resources to the patient.

Protected classes include race, color, national origin, sex, sexual orientation, gender identity, age, and disability.

While these protections exist in Federal law and broad protections exist in State law, Oregonians need access to State Courts, in their community, where barriers to access justice are lower.

The bill passed 24-4 votes in the Senate and 40-18 votes in the House.

## Background

During the 2020 legislative session, Disability Rights Oregon advocated for and the legislature passed SB 1606, legislation to ensure that Oregonians with disabilities can see their family and support staff in the hospital to provide disability related supports. SB 1606 also prohibited hospitals from withholding healthcare on the condition that a person with a disability has signed an end-of-life order or POLST.

But the final legislation omitted a section on anti-discrimination, for which Disability Rights Oregon strongly advocated. Disability Rights Oregon urged the legislature to take additional action to ensure people do not face discrimination in healthcare and that relief is available.

In December 2020, the Oregon Health Authority, in response to Disability Rights Oregon's legal advocacy, replaced its crisis care guidance with principles intended to prevent discrimination. This means, if hospitals become overwhelmed and an individual with a disability needs treatment, a bed, or a ventilator, they won't be disadvantaged because they have a disability.

SB 567 will be sent to the Governor's desk for her signature.

## Resources

- [Testimony from Jake Cornett, Executive Director, Disability Rights Oregon](#), (March 3, 2021)

- [Testimony from Meghan Moyer, Policy Director, Disability Rights Oregon](#) (March 8, 2021)

## About Disability Rights Oregon

Disability Rights Oregon upholds the civil rights of people with disabilities to live, work, and engage in the community. The nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their full potential. For more than 40 years, the organization has served as Oregon's Protection & Advocacy system.

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