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**PURPOSE**

To outline the requirements related to facilitating the designation of Support Persons by eligible patients as required by Oregon Senate Bill 1606 (SB1606).

**SCOPE**

This policy applies to all licensed Asante hospitals or licensed hospital outpatient departments. Of note, this Policy applies to Asante patients who meet the definition of a “Patient” as defined in SB 1606.

**DEFINITIONS**

Under SB 1606 and this Policy, the following definitions shall apply:

- “Disability” shall mean, but shall not be limited to, (i) a physical, intellectual, behavioral, or cognitive impairment, (ii) deafness or being hard of hearing or other communication barrier, (iii) blindness, (iv) autism, or (v) dementia.
- “Patient” means a patient admitted to a hospital, or in an emergency department, who needs assistance to effectively communicate with hospital staff, make health care decisions or engage in activities of daily living due to a disability.
- “Support Person” means a family member, guardian, personal care assistant, or other paid or unpaid attendant selected by the patient to physically or emotionally assist the patient or ensure effective communication with the patient.

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**POLICY DETAIL**

SB1606 requires that hospitals licensed in Oregon must allow a Patient who needs assistance to effectively communicate with hospital staff, make health care decisions<sup>1</sup>, or engage in activities of daily living due to a disability to designate at least three (3) Support Persons, and to allow at least one (1) Support Person to be present with the Patient at all times in the emergency department and during the Patient's stay at the hospital, if necessary to facilitate the Patient's care, and, unless the Patient requests otherwise, must ensure a Support Person is present for any discussion in which the Patient is asked to elect hospice care or to sign an advance directive or other instrument allowing the withholding or withdrawing of life-sustaining procedures or artificially administered nutrition or hydration.

At all times the Support Persons will be subject to Asante's applicable policies and procedures, including but not limited to: infection control, patient and employee safety, and patient privacy.

**POLICY**

1. On or before August 1, 2020, and for an indefinite period thereafter, Asante shall post a notice at the entrances for each Asante hospital describing a patient's right to designate Support Persons if the patient has a "Disability" as defined by this Policy or is a patient as defined by SB 1606. This posting shall also state that a copy of this Policy will be available upon request. A copy of this posting can be found on Appendix A of this Policy.
2. On or before August 1, 2020, and for an indefinite period thereafter, Asante shall make this Policy available online at **Asante.org/patients-visitors**.
3. At the time hospital services are scheduled, or upon admission to the hospital, Asante shall inform a patient of their right to Support Persons if the patient or the patient's legal representative states that the patient has a Disability as defined by this Policy or is a Patient as defined by SB 1606.
4. At least three (3) Support Persons may be designated.
5. Asante shall allow at least one (1) Support Person to be present with the Patient at all times in the emergency department and during the Patient's stay at the hospital, subject to the applicable restrictions as described below.
6. Asante shall ensure that at least one (1) Support Person is present for any discussion in which the Patient is asked to elect hospice care or to sign an advanced directive or other instrument, such as a POLST, allowing for the withholding or withdrawing of life-sustaining procedures or artificially administered nutrition or hydration, unless the Patient requests to have the discussion outside of the presence of a Support Person. The Support Person is subject to the applicable restrictions described below.
7. Support Persons must comply with existing Asante policies and procedures. Asante may also impose conditions to ensure the safety of patients, Support Person(s) and staff such as:

- (a) Requiring a Support Person to:

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<sup>1</sup> Note: A Support Person is not automatically authorized to make healthcare decisions on the patient's behalf. A Support Person may assist the patient in the conversation, but the ultimate decision-maker is the patient, unless the Support Person is also the patient's legal representative.

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- i. wear appropriate personal protective equipment<sup>2</sup> and follow hand washing and other hospital protocols for preventing the potential spread of infection;
  - ii. be free of any symptoms of a virus or contagious disease; and
  - iii. submit to screenings for viruses or contagious diseases upon entering and exiting the hospital.
- (b) Limiting the number of Support Persons allowed to be present with the Patient at a time;
  - (c) Limiting the total number of Support Persons allowed to be present with the Patient during the course of the day.

**PATIENT CONCERN ABOUT SB 1606**

If a patient has a concern about Asante’s compliance with SB 1606, that patient should be encouraged to address the concern directly with any Asante health care provider. Asante health care providers should help resolve the patient’s specific concern regarding access to a Support Person.

If the concern cannot be resolved, a patient may contact Asante Patient Relations directly at each hospital location.

Asante Ashland Community Hospital, Patient Relations (541) 201-4486	Asante Rogue Regional Medical Center, Patient Relations (541) 789-4126	Asante Three Rivers Medical Center, Patient Relations (541) 472-7168
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Patients who have questions or concerns about their access to a Support Person may contact Oregon Health Authority’s Quality Improvement Division at (971) 673-0540. OHA will evaluate each hospital’s compliance with the requirements related to Support Persons under SB1606.

**REGULATORY REFERENCES**

Oregon Senate Bill 1606 – Oregon Revised Statue 127.635, as amended  
 Oregon Administrative Rules  
 Disability Rights Oregon – [www.droregon.org/covid-19-rights](http://www.droregon.org/covid-19-rights)

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<sup>2</sup> If a support person does not have appropriate personal protective equipment as determined by Asante, Asante will provide appropriate personal protective equipment to the Support Person.  
 Date of Modification 7/31/2020 11:43 AM

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**SUBMITTED BY:**

Name / Position	Date
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**REVISIONS/SUMMARY OF CHANGES:**

Revision date:	Revision Description:
07/30/2020	New Policy

# Oregon's Support Person Law for patients and families

Patients with disabilities have a right to support persons while they are in any Oregon hospital. The patient may choose at least three support persons to help with the patient's care, including:

- Communicating with hospital staff
- Making medical decisions
- Providing care needs related to activities of daily living

## The Oregon Support Person Law also allows:

- At least one support person can be with the patient at all times in the emergency department and during the entire hospital stay.
- Patients with disabilities may pick support persons to stay with them in the hospital when necessary to accommodate their disability.
- Unless a patient states otherwise, a hospital must ensure a support person is present for any discussion when the patient is asked to make an end-of-life decision. A patient's legal guardian or authorized representative must be included in those discussions.

A hospital can require a support person to follow hospital safety protocols including wearing personal protective equipment provided by the hospital and restricting physical access if the support person is sick or has flu-like symptoms.

If you need a support person based on your disability, please bring it to the attention of your nurse, a nurse leader or a hospital patient advocate. Allow the hospital to quickly resolve your concern about access to a support person.

A copy of Asante's Support Person Policy is available upon request and can also be found at [Asante.org/patients-visitors](https://www.asante.org/patients-visitors).

