

High court won't revive school's transgender bathroom ban

BY DENISE LAVOIE AND MARK SHERMAN
Associated Press

The U.S. Supreme Court on Monday rejected a Virginia school board's appeal to reinstate its transgender bathroom ban, handing a victory to transgender rights groups and a former high school student

who fought in court for six years to overturn the ban. After learning that the high court refused to hear the board's appeal, Gavin Grimm, now 22, said that his long battle is over. "We won," he tweeted. "Honored to have been part of this victory," he added. Grimm was a 15-year-old

student at Gloucester High School when he was banned from using the boys bathroom. The Gloucester County School Board's policy required Grimm to use restrooms that corresponded with his biological sex — female — or private bathrooms. Grimm filed a federal lawsuit that wound its way

through the courts for six years. Grimm said that being forced to use the nurse's room, a private bathroom and the girl's restroom was humiliating and severely interfered with his education. He said he is heartened by his victory in court because "a win in Virginia is a win everywhere."

Nurses

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"I've been here eight years, and I've never seen this many acutely ill patients coming through the door," said Dr. Mary Tanski, interim chair of the OHSU Emergency Department. "When we see sicker patients, that's a stress. Nurses were already tired. They've been at the front lines for a year. It's to the point that we have seen some of our nursing colleagues leave the profession."

Traffic jam

When COVID-19 arrived in Oregon, many hospitals experienced an immediate drop in business. In the first months of the pandemic, OHSU's emergency department saw patient volume fall by half.

Some hospitals figured they could afford to cut staff, save some money and lessen the financial pounding they were taking as a result of the pandemic.

But ER traffic is hard to predict. By law, they don't have the luxury of turning people away.

Sure enough, ER demand surged this spring to a level that caught everyone by surprise.

After studiously avoiding hospitals and doctors' offices for a year due to COVID-19, many of the patients are too sick to be treated and released. That has led to another problem: Some hospitals don't have enough staffed beds elsewhere in the hospital to house the influx.

That leads to "boarding," the practice of holding patients in the ER, until a hospital bed or some other destination can be found. The practice is controversial because it keeps patients in limbo and because it blocks the normal flow of sick patients into the hospital. Behavioral health patients are particularly prone to boarding because of the chronic shortage of beds dedicated to their needs.

The backlog of boarded patients means more delays for new ER patients, who can wait hours to see a nurse. Understandably angry patients and their families at times lash out at hospital staff.

Karlee Hoffart is a four-year veteran of the ER at Kaiser Permanente Sunnyside Medical Center in Clackamas. "I love the emergency department," she said. "I'm a bit of an adrenaline junkie. I like being a valued member of a small team."

But things have changed in recent months.

"We cannot move our patients," she said. "There are days when I start a shift, half of our beds are taken up by folks needing a hospital bed. Sometimes, they can wait 24 hours."

In the interim, it is Hoffart and her colleagues who must treat them.

"We are no longer just ER



Nurse Stephanie Scott keeps an eye on patients in the emergency department at St. Joseph's Hospital in Orange, California, in 2018.

nurses," she said. "We are mental health counselors; we are hospital nurses; we are being asked to do it all, with no extra help."

Nowhere to divert

The problem is more than just a shortage of skilled workers and staffed hospital beds.

Emergency responders are delivering patient loads that are too much for hospital emergency rooms to handle. The surge of calls began several months ago and only worsened in the last two months.

Emergency calls always spike in the summer as more people are on the roads. In Multnomah County, the number would typically increase to about 300 a day. This month, the county is running on average 390 a day.

When Portland-area hospital ERs are jammed, they go on "divert" status, meaning ambulances that would normally go there are diverted to another hospital. It's never been unusual for one or two metro-area hospitals to get overwhelmed on a busy night.

But in recent months it's become almost a daily occurrence for every hospital in the area to go on divert.

OHSU, for example, spent about 150 hours per month in divert status in April and May 2020. A year later, Tanski confirmed, OHSU's emergency department was full and off-limits between 450 and 500 hours per month.

OHSU is one of the region's key trauma hospitals that takes the most serious cases.

"When we're on divert it presents a challenge," Tanski said. "It just leads to this spiral effect."

That is a sea change for local county officials who run a sort of air-traffic control system coordinating ambulances with hospitals. In May of last year, all local hospitals went on total divert status maybe once or twice, said Shane Ryan,

a spokesman for Metro West Ambulance, which serves Washington County. This May, all hospitals were diverted 54% of the time.

Ambulances have made some unusual trips in response. Tualatin Valley Fire & Rescue had to transport a patient to a hospital in Corvallis after Portland-area hospitals turned them away, said Cassandra Ulven, spokeswoman for the department.

The deluge of shootings and other street violence has contributed to the surge.

"Our trauma volume is huge," said Jon Jui, medical director of Multnomah County Emergency Medical Services. "We've never seen people getting shot at this rate, often at random. I've been doing EMS for over three decades, and I've never seen problems this sustained, this prolonged. We have a very significant strain on our emergency system."

Slow to staff up

Kaiser and Providence nurses argue the solution to the problem is simple: Hospitals need to hire more staff, and they need to retain the talent they have.

Hospital officials said they are trying to do exactly that.

"No one would dispute that this is a challenging time across the state, region and country when it comes to caregiver staffing, going on divert and wait times in emergency departments," Providence spokesman Gary Walker said. "Providence is actively managing the needs, including spending hundreds of hours in recruiting additional caregivers. We are excited to have a group of 54 new nurses joining us for ED residency in a couple of weeks."

Legacy Health Systems said it has hired more than 250 nurses in 2021 and will soon accept 50 additional nurses into its residency program.

Providence, Kaiser and Leg-

acy all declined to provide any information about nurse attrition or turnover.

Kaiser said it is hiring so-called traveling nurses from employment agencies to fill the gaps in its own payroll, and it's offering sign-on bonuses for registered nurses who will work nights in the ER.

"The nursing shortage affecting the whole nation is impacting the Northwest region as well," said Kaiser spokeswoman Debbie Karman. "We're actively working to recruit and hire nursing staff"

Hoffart, the Kaiser nurse, suggested Kaiser should concentrate on retaining its trained veterans. Attrition is enormous. "She and her colleagues estimate that half or more of the nurses who worked in the Kaiser Sunnyside ER last year have left the department."

Hoffart is a steward for the nurse's union, the Oregon Federation of Nurses and Health Professionals, which started negotiating a new contract early this month. Staffing is a central issue.

Kim Stewart, another ER nurse at Kaiser Sunnyside, said there's no bigger priority.

"Kaiser has a great patient care model," Stewart said. "But without the people there to do it right, it doesn't work. I don't even want more money or more benefits. I just want staff."

Lail, the Providence Portland nurse who recently went on leave, echoes those sentiments. He is a steward in his union, the Oregon Nurses Association, which recently filed a grievance with Providence over staffing issues that was signed by 75% of its nursing staff.

Lail doesn't know what his future has in store. "I don't want to quit, I don't want to leave. But it's getting really hard," he said. "The money is really not that important to me. I just want the support and the right co-workers to do my job."

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ment — and the Forest Service for national forests. Wyden said Congress should increase the amount of money available for the Forest Service to reduce hazardous-fuel buildups in national forests. Oregon itself has about 2 million acres eligible for treatment. Wyden said Forest Service chief Christiansen estimates it will take \$20 billion to eliminate the backlog. Wyden also is promoting the creation of a 21st century equivalent of the Civilian Conservation Corps, the New Deal-era agency that put primarily young and unmarried men to work in the nation's forests between 1933 and 1942. Silver Falls State Park, east of Salem, is one of the CCC's legacies in Oregon.

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Legal Notices 1000

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Legal Notice Dominion Construction, LLC has filed suit against Moisan, LLC, for breach of contract, negligence, and unjust enrichment, as a result of Moisan's negligent work performed on a construction project known as High Desert Industrial Park, located at 2561 NE 4th Street, Bend, Oregon. Moisan was the general contractor hired to perform excavation and underground work on the project, but after conducting negligent work, failing to complete its work, failing to pay its workers, and causing delays, Moisan abandoned the project and Dominion was forced to file suit to recover the costs associated with Moisan's contractual breach and negligence. Dominion estimates damages owed by Moisan total approximately \$1,918,000.00. The motion or answer

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or reply must be given to the court clerk or administrator within 30 days of the date of first publication specified herein along with the required filing fee. Date of First Publication: June 8th, 2021

Legal Notice IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF DESCHUTES Probate Department

In the Matter of the Estate of DONALD GENE LOWE, Deceased.

Case No. 21PB03964 NOTICE TO INTERESTED PERSONS NOTICE IS HEREBY

GIVEN that Betty L. Rushing has been appointed Personal Representative of the above estate. All persons having claims against the estate are required to present the same within four months from this date to the undersigned at the law offices of DOLE COALWELL, 810 S.E. Douglas Avenue, P.O. Box 1205, Roseburg, Oregon 97470, or said claims may be barred. All persons whose rights may be affected by the estate proceeding may obtain additional information from the records of the above entitled court, the Personal Representative or the Personal Representative's attorneys.

DATED and first published on June 15, 2021.

Jeffrey A. Mornarich, OSB #935291 DOLE COALWELL, Of Attorneys for Personal Representative

Legal Notice NOTICE TO INTERESTED PERSONS Pamela J. Stuemke has been appointed Administrator of the estate of Carol Kay Tomlinson, deceased, by the Circuit Court, State of Oregon, Deschutes County, Case No. 21PB05132. All persons having claims against the estate are required to present them, with vouchers attached, to the Administrator at 204 SE Miller Ave, Bend, OR 97702, within four months after the date of June 29, 2021, the first publication of this notice, or the claim may be barred. Additional information may be obtained from the records of the court, the Administrator, or the lawyer for the Administrator, Patricia Nelson.

DATED and first published on June 15, 2021.

Jeffrey A. Mornarich, OSB #935291 DOLE COALWELL, Of Attorneys for Personal Representative

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Legal Notice Public Sale Secure Storage - Redmond

Self storage facility located at 3001 NW Canal Blvd, Redmond, OR 97756 must sell the contents of 1 storage unit to collect past due rent. The public sale will take place online with bids starting Tuesday 7/06/21 at 11am at www.storage-treasures.com. The following unit is currently for sale: Lot 117 Vierra.

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Wyden

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"I believe what we will hear about is making sure there are personnel available in the West to fight multiple fires at the same time. This is a departure from the past. Usually we have one big fire and other western states would chip in to help the state that was hit the hardest. Now, we are talking about something that is unprecedented: Big fires simultaneously throughout the West."

Wyden led the committee for about one year, from 2013 to 2014, when he took over the tax-writing Finance Committee, which he now leads again after Democrats became the Senate's majority party with Vice President Kamala Harris the tie-breaker in a 50-50 chamber.

Wyden continues to sit on the Energy and Natural Resources Committee as the No. 2 Democrat behind Chairman Joe Manchin of West Virginia. Senate rules allow one committee chairmanship per member.

Budget details are decided by the Appropriations Committee; Oregon Sen. Jeff Merkley leads the subcommittee that oversees the Forest Service.

Wyden spoke on a weekend when temperatures exceeded 100 in virtually all of Oregon, and drought affects most of the state.

Wyden and Merkley toured Oregon twice in the aftermath of the 2020 Labor Day wildfires, which affected all four metropolitan areas on the westside — Portland, Salem, Eugene and Medford — with

wildfire smoke or worse. (The Alameda Fire swept through communities south of Medford and destroyed an estimated 2,500 homes, the largest concentrated loss statewide.)

Wildfires also burned on the central coast, Central Oregon and near Roseburg and Grants Pass.

Wyden says he expects one element of the response plan to be cooperation among the agencies responsible for fighting forest fires. "Local, state and federal firefighters are going to be tightly coordinated in order to deal with this grave threat," he said.

In Oregon, that responsibility is divided among fire protection districts, Oregon Department of Forestry — which also contracts to protect Western Oregon forests overseen by the Bureau of Land Manage-

ment — and the Forest Service for national forests.

Wyden said Congress should increase the amount of money available for the Forest Service to reduce hazardous-fuel buildups in national forests. Oregon itself has about 2 million acres eligible for treatment. Wyden said Forest Service chief Christiansen estimates it will take \$20 billion to eliminate the backlog.

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