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Date: February 5, 2014

To: House Committee on Healthcare  
Re: HB 4070 - Oppose:  
Shielding Dentists and Oral Surgeons from Transparency  
Puts Oregon Patients at Risk

Chair Greenlick, Vice Chair Keny Guyer, Vice Chair Thompson, and members of the Committee:

The Oregon Trial Lawyers Association (OTLA) would like to convey our concerns with House Bill 4070. This legislation poses a significant risk to Oregon patients by allowing a dentist or oral surgeon to have his/her discipline problems removed from public access on the Board of Dentistry site if the problem was over 10 years ago.

This would block patients from learning about a practitioners' history of drug use, incapacity to practice safely, or even the renting or lending of their license or diploma to be used by another person. HB 4070 would also shield *all* prior records of unprofessional conduct including: fraud in obtaining a fee, employing or permitting unlicensed personnel, impairment, obtaining or attempting to obtain a controlled substance and prescribing drugs in a manner that impairs the health and safety of an individual.

Oregon patients have the right to know if their dentist or oral surgeon has a history of disciplinary action, ongoing or isolated. Especially in the area of substance abuse. Obviously a drug addicted/impaired dentist or oral surgeon is unable to provide the best standard of care for their patients. The risk of relapse, as with all addicts, is ever-present. How is it possible that Oregon would eliminate access to this kind of critical information?

If this bill was enacted, Oregon consumers would have access to more information about their plumber than their trained medical professional. A consumer could learn more about the disciplinary action against their licensed and bonded contractor, because a contractor would be held to higher and more permanent level of transparency than Oregon dentists.

Why should dentists and oral surgeons, especially those who pose a documented pattern of risk to patients, have their records expunged at any time? Don't Oregon patients have the right to make informed decisions about their medical and dental care?

With all the transition going on in healthcare today, why would we embrace a culture of secrecy rather than one of transparency? Please don't put Oregon patients at risk.

**The Oregon Trial Lawyers Association strongly urges you to vote No on HB 4070.**