



Oregon

Kate Brown, Governor

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Testimony
On House Bill 4095
by
Stephen Prisby, Executive Director
Oregon Board of Dentistry
Before the
Health Committee on Health Care,
Wednesday, February 3, 2016

On behalf of the Oregon Board of Dentistry, I want to thank you for the opportunity to testify regarding House Bill 4095.

The stated mission of the Oregon Board of Dentistry is to assure that the citizens of Oregon receive the highest possible quality oral health care.

In keeping with that mission, I am presenting the following comments on House Bill 4095. House Bill 4095 was first available for the Board to review last Thursday, January 28, 2016. Copies of the legislation as introduced have been sent to all members of the Board. However, for the Board to take an official position will require the Board to meet and discuss this legislation, as well as any of the amendments that may be introduced or suggested at today's hearing. A meeting has not been able to take place.

OBD Staff and I have noted:

- Public Record Requests would still require us to provide public discipline information even if as this legislation intends, we remove information and redact information from past newsletters and board minutes that are posted on our website.
- The language in Section 2(d) references that a licensee remained in "good standing." The OBD does not define the term "good standing" in the Dental Practice Act.
- The Board of Dentistry would be the only health licensing board removing the names of disciplined licensees from websites and other electronic publications.
- Governor Kate Brown recently issued Executive Order No.16-06 which addresses public record policies and will impact our agency to enhance more transparency and accessibility to Oregonians.

Last year 18 Health Boards (Medical, Nursing, Pharmacy, Dentistry, etc...) worked together based on a directive from Representative Greenlick & Representative Hayden to see if the boards could find and possibly propose a single way all boards would allow discipline information to be available to the public and to see if after a certain timeframe, some discipline would come off board websites. The boards are different, with different types of board orders and actions, and different types of discipline. All 18 Health Boards leave discipline information on their websites indefinitely. Some, like ours have a note to contact the board office, when orders are withdrawn.

To comply with HB 4095 would necessitate the OBD to reallocate our limited resources, of staff time and money to fulfill what the legislation intends. It might appear to make the OBD look like it is protecting certain Licensees by removing unflattering discipline information.

The charge from the Oregon Legislature ever since it created the Oregon Board of Dentistry in 1887 has always been for the continued protection of the public, and the Board and I take that role very seriously.

The Board only posts disciplinary information on our website when both the Board has voted to discipline a Licensee, and the consent order has been signed by the Licensee and the Board President. Pursuant to ORS 676.175 Complaints and Investigations are not public records.

I have discussed this legislation with the ODA and shared it with the ODHA. I enjoy a good working relationship with the leadership of both organizations and appreciate their feedback on this and other legislation impacting our dentists and dental hygienists.

Therefore, the Board pledges to this Committee that it will work with all of the parties involved in the development, as well as those that would be impacted by the passage of this legislation, to help craft a piece of legislation that will be acceptable to all of the parties involved and promote the Board's mission to protect the public.

I would be happy to answer any of the Committee's questions.