

Christian Wolff, MA

Psychologist Associate, Inactive (Oregon)
Healthcare Alliance for Regulatory Board Reform (HARBR)

7712 Westford Court
Fort Wayne, IN 46835
503.381.2032
christian@christianwolff.com

April 19, 2017

To: Oregon House Committee on Healthcare
Re: **SB 60 (2017)**
Position: **Against**

Dear Members of the Oregon House Committee on Healthcare:

I am writing today in opposition to SB 60 which has already passed in Senate Committee.

SB 60 is a bill designed to undermine the Rule of Law and move yet another Oregon Agency toward the arbitrary and capricious Rule of Man. This agency is the Oregon Medical Board (OMB) which already suffers from selection biases via Governor appointment. This is how the selection bias happens:

Applicants for OMB positions apply on their own or are recruited. If the OMB doesn't like the applicants in the pool, they will actively recruit members who share OMB's biases. The Governor designates an Executive Appointment Secretary who consults OMB. Candidates are chosen and appointed to the Governor for sign-off. The chief influencer in this process will be "top" OMB designees. Generation after generation of selection bias creates an OMB "dynasty" of sorts which gradually loses all checks and balances. Term limits become inconsequential as OMB member John Doe is replaced by John Doe II, and then, John Doe III, in turn. A "bad" OMB, when we have one, can last easily more than a decade.

I am aware that candidates must be approved by the senate but as genuine as the Senate Committee may be in interviewing, the few minutes the candidate sits before the Senate Committee are simply not enough to for the Senators to know whether the candidate will add to balance or bias on the OMB.

Allowing the sitting OMB chair to unilaterally select up to THREE additional (emeritus) board members would be an absolutely irresponsible move on the part of the legislature. The assurances provided by Kathleen Haley in her written testimony to the Senate Healthcare Committee are without value. She suggests that the emeritus OMB members would persons who, at one time, had already been confirmed by the Senate. She concludes that the Senate would not need to be "bothered" by new confirmation hearings. I strongly disagree.

1) There is no reason to exacerbate OMB's already biased selection system - a system which has no substantial independent oversight.

2) For a “selectively” chosen emeritus OMB candidate, it is even more important, that the Senate Confirmation Committee (re)interview them - not LESS. Such candidates have accrued an OMB history, and that history sorely need to be reviewed. Is it likely the candidate will serve the OMB or the board CHAIR to whom they become indebted for their appointment and for their retention.

2) The current law already provides protocol for dealing with absentee OMB members. When the Senate interviews candidates, candidates who cannot firmly commit to attendance requirements should not be confirmed. Absenteeism is already described in law and too much of it is simply grounds for dismissal from board memberships.

3) Physicians are not special. We are ALL busy people. If we cannot commit to board attendance, we should not be appointed to (or kept on) one.

We cannot assume that we presently have a “good” OMB. To put the power of SB 60 into the hands of the OMB chair is a “law to undermine law.” This should be glaringly the case to any reasonable person who reads SB 60, and voting for it would reduce the confidence in the sensibility of the Oregon legislature.

Please stop rubber-stamping the OMB legislative requests. The OMB is very powerful and for this reason, they need LESS independence - not more. SB 60 is ridiculous.

Please vote NO on SB 60. Thank you.

Sincerely,

Christian Wolff, MA
Psychologist Associate, Inactive (Oregon)
Healthcare Alliance for Regulatory Board Reform