

TESTIMONY AGAINST SENATE BILL 60
Senate Committee on Health Care
February 2, 2017

Good afternoon, Members of the Committee,

My name is Ralph Read, and I was a licensed physician in Oregon until the Oregon Medical Board revoked my license, fined me \$10,000, and charged me \$14,000 for a hearing one day long.

I appealed the OMB decision without success. Later I filed a civil rights complaint in Federal Court, a complaint that was dismissed because of IMMUNITY.

Kathleen Haley has testified that SB 60 will be transparent and allow accountability, but the truth is that everything the Board does is secret and there is NO accountability.

You could not be aware of what the Oregon Medical Board actually does, or you would have acted before now to find a remedy. Everyone at the Oregon Medical Board can and does violate civil rights, but has immunity for whatever they do.

There is no way to know if any operational difficulty claimed is real; more likely this new law will allow the director to more easily pick and choose Board Members who can be deceived.

The events of my case before the OMB can explain why the OMB does not need to recycle ex-members in order to be able to "protect the public".

I believe Haley was responsible for the pretense that I had demanded to have an active license, after my medical license had been inactivated because of a complaint that was not revealed to me until 8 months after the license was inactivated. This pretense that I had demanded an active license was the basis of an unnecessary OMB "order for evaluation" issued to me, although there was no OMB decision to be made because I had not filed to have the license reactivated.

The actual author of the Order is secret, but the Order itself was created without any consideration for whether it was needed, or was possible to comply with. The order was not needed, and was totally impossible to comply with because the examinations ordered were not provided by the private company (CPEP) in Colorado, named by the OMB to provide the ordered evaluations. Also the order was contraindicated in two ways by CPEP policy, once the two ethical complaints against me were revealed - these complaints were concealed at the time the Order was issued.

The OMB later issued a three part complaint against me, its author is also "unknown". The two ethical complaints and a third: that I had "intentionally failed to comply with the Order for evaluation".

At the hearing, no evidence or testimony was presented to show that this Colorado company (CPEP) was even operating at that time. Nor was there any other evidence about CPEP, except my testimony. Then much of my uncontested testimony was effectively deleted from the case record by mislabeling it.

There is no way to know who convinced the OMB to change two of the complaints against me, after the hearing on the original complaints. Haley must know who did that. And Haley would know who provided the supporting testimony for the new complaints, described by the OMB in its "Final Order". My testimony had been effectively deleted. Nobody else had testified (during the hearing) about the two complaints that were changed after the hearing. The falsified case record was provided to the Oregon Court of Appeals.

In conclusion, additional Board members might be "needed" if the OMB were to begin investigating rather than simply violating civil rights and fabricating lies, but there is no reason to believe that is going to happen. What is needed are REAL judges and real juries - not doctors who seem to have no idea that judges are not prosecutors.

These doctors may think they are acting legally because they have immunity.

The Legislature gave the OMB enormous legal power, and gave everyone who works for the OMB total immunity. As does Federal law apparently. This could allow them to be great judges. Instead they have become vicious executioners. They destroy careers without concern for truth, and violate civil rights but think they are acting legally because they have immunity.

Allow me to give an example of Haley's fabrications. Haley herself created a totally false allegation against me and included it in the printed "Proposed Final Order" in my case. Although presented as a "this is what happened" story, the story was a total fabrication, and she made zero effort to confirm the story. The story was enormously prejudicial, a violation of my civil rights. She described that I had failed to appear at a meeting I had been ordered to attend, and caused great inconvenience. Effectively she informed the Board that I had "done it again", BEFORE the Board made its decision whether or not I had actually "done it" the first time.

There is no oversight, no accountability at all. The Board either does not know or does not care that Haley creates totally false allegations. My entire experience with the OMB was 1) being lied to, 2) being lied about, and 3) having my right to "due process" violated repeatedly. The OMB members involved in aspects of my case were either malicious or clueless. Bringing them back won't change that fact.

There is ZERO transparency and ZERO accountability for all Board actions, especially those of director Haley.

SB60 will simply make it easier for the director to violate licensees' civil rights by excluding certain Board members from voting on certain cases.

Ralph L. Read 125 SW Collins St. Portland OR 97219
ralphread@gmail.com