

*Testimony submitted via email.*

Dear Ms. DeFelice,

I am writing in strong opposition to HB 2329 which proposes to charge psychologists for the Oregon Board of Psychologist Examiners (OBPE) court costs. Over twenty years ago I was a psychologist practicing in Wyoming and attempted to have OBPE honor their reciprocal licensure agreement with Wyoming. For months OBPE refused to even respond to my increasingly frantic requests for an application. Finally, in desperation, I contacted the chair of the board and asked if she could please intercede on my behalf as I had by this point accepted a job and moved to Oregon but still couldn't get an application for licensure. She said, "Well if you don't like how we do things Dr. Miller you can go back to Wyoming!" After ever increasing hostile and bizarre interactions with OBPE I hired an attorney to assist me. During a meeting with my attorney and the entire board the chairperson of OBPE literally threw something at me. Absolutely bewildered by OBPE's demeanor, I reached out to co-workers who shared similar horror stories and informed me OBPE particularly didn't like out of state psychologists moving to Oregon. Eventually I was asked to testify in front of a House sub-committee about what I had endured to receive my license. I knew it was risky but felt that it was the right thing to do. My testimony was part of the Oregon House of Representatives passing the law which forced OBPE to tape their orals as this was one of the ways OBPE was excluding out of state practitioners.

For twenty years I was then harassed by OBPE in ways that impacted me financially, personally and professionally. One example occurred when a student approached me about supervising him. He contacted OBPE for the appropriate application and was told that if he ever wanted to be licensed in Oregon he should distance himself from me and that OBPE would not even give him an application form if he intended to pursue having me as a supervisor. I called OBPE and asked, since I had a clean record, on what basis they were making their decision. I was told, "You know what you did." and then hung up on. Another example occurred when OBPE had an expert falsely testify that an alleged sex-offender could always interrupt their child's treatment, even from jail, unless parental rights were terminated. If I took the \$1000 fine and letter of reprimand that would have been the end of the matter for me, but the case would have set a devastating precedent for abused children. Once again I needed to do the right thing and paid tens of thousands of dollars out of pocket to pursue the case where I prevailed in the Oregon Court of Appeals. Another example occurred when I was mired in false allegations that included practicing "pseudoscience" because I had a SPECT scan poster by Dr. Daniel Amen, which showed the impact of drugs and alcohol on the brain, hung in my office. In this case, after two stressful years, OBPE said they would find me not guilty in exchange for receiving one year of consultation. I wanted to proceed to court and while my attorney could find no fault in my actions he advised me

against it saying, OBPE "hates" me, they routinely over-rule judges anyway, would certainly add more allegations if I chose to defend myself and the only reason they were not pursuing me was their funds were tied up in Dr. David Bice's case. Of note, Dr. Bice was found innocent in his hearing but OBPE sanctioned him anyway and at great personal and professional cost, he appealed and was again vindicated by the Oregon Court of Appeals this year. With great trepidation I agreed to OBPE's terms and was horrified to learn that though I had not been found guilty of anything, they posted the false allegations on their website. Additionally, they did not post the document that showed I had not been found guilty of any of the allegations. OBPE told my attorney they would never remove the false allegations from their website and it was only with the intervention of an Oregon Representative that OBPE finally posted at the end of all of the false allegations the document that states I was not found guilty of the charges.

Most recently OBPE opened an investigation, not based on any complaint, but based on learning that I do attachment work with children, They looked up attachment therapy on an inflammatory anonymous website and proceeded to allege that because I worked with children with attachment issues I needed to sign something stating I would discontinue practices such as withholding food, restraining children without cause and shaming them. Knowing that this document would certainly accompany the first on OBPE's website I agreed to sign a letter stating that I had not and would not do those things of concern to OBPE. They immediately suspended my license. When I requested a hearing OBPE added allegations four times as I was waiting for my hearing. Less than three weeks before my hearing, which they had agreed would only address one issue while a second hearing would address other allegations, OBPE stated that they were adding further allegations and that they were now seeking to remove my license and add a \$5,000 fine. During the August 2014 hearing they hired an infamous anti-attachment psychologist from Pennsylvania, OBPE's examiner lied on the stand, blatantly said it wasn't her job to tell OBPE what I didn't do (in reference to the allegations) and proceeded to address all allegations. This didn't allow me to have all the relevant experts testify nor to produce all research and evidence to exonerate me. I was found guilty, by association, as OBPE believes that attachment therapists "shame" and "coerce" children though there is no evidence that I ever behaved in such a manner and much evidence that I was helping a very stressed family become more supportive and nurturing. OBPE, who had refused to meet with me or attend my hearing, then asked for and received a summary judgement finding me guilty of all allegations, including those received less than three weeks before the hearing and removed my license to practice psychology.

These are just a few of my experiences with OBPE and the only thing that minimally holds them in check at this time is their budget. It is already a travesty that tax dollars are used by unscrupulous individuals, not to protect the public, but to exclude and harass psychologists whose only goal is to

alleviate suffering for their clients. To further damage the ability of psychologists to defend themselves, or to provide further disincentives for standing up for what is right by proposing psychologists be charged for OBPE court costs will only bring more harm. This harm does not just extend to psychologists but to their clients, so many of whom are children, who were never even given the opportunity to say good-bye to their trusted confidante in the midst of walking through the losses they have endured, the abuse they have survived and the broken relationships that have already broken their hearts. Doing nothing wrong yet losing my career, my reputation, my home is bad enough but to know that I inadvertently harmed children by being forced to abandon them is intolerable.

I have additional information that I am willing to share if that would be helpful to defeat this bill and to hold OBPE accountable for its actions. I have completed my appeals brief and can make that available or produce other evidence including the transcription of my hearing which shines a light on OBPE's unethical actions. When Governor Kitzhaber signed the bill into law which forced OBPE to tape its orals he commented that it was truly a grassroots effort against a clearly out of control board. OBPE's practices have only worsened since that time so many years ago when I spoke out and stood for what was right. I ask that you do everything in your power to avoid giving OBPE more ability to further harm anyone. Please stand for what is right.

Kali Miller PhD