

March 5, 2019

Chair Jennifer Williamson
Oregon House Judiciary Committee
900 Court Street Northeast
Salem, OR 97301

RE: HB 2014 would proliferate the practice of defensive medicine in Oregon

Dear Chair Williamson, Vice-Chairs Gorsek and Sprenger, and members of the committee,

Thank you for allowing me to submit these comments into the written record for House Bill 2014. As a surgeon practicing in Salem and a past board chair of our local independent physician association (WVP), I am concerned about the impact this legislation would have on the practice of medicine in Oregon.

Doctors swear an oath to apply all measures to protecting the health and wellbeing of our patients, and we all understand the trust our patients provide in us. In medical school, we are trained to be diligent in the care we provide to our patients because the decisions that we make will have an impact on their lives. The commitment we make to all our patients is that we will do everything in our ability to promote their health and their wellbeing.

One of the biggest dilemmas in the medical profession today is defensive medicine and its impact to the overall cost of healthcare. I am very concerned that eliminating the cap on noneconomic damages would only increase the practice of defensive medicine, resulting in doctors referring patients to costly tests and procedures simply to protect themselves from a lawsuit. Our delivery system was not designed for this type of protective medicine and it is not an efficient use of a doctor's time or a patient's money.

The most painful result of this move would be to limit health services for **all patients**. This will occur because local physicians will **ONLY** do the easy, low risk care and procedures, and will send all other patients to Portland. This will be completely magnified in the more rural areas, which need maximum physician participation already. The end result will **severely limit the options of care** for a large number of people in the state. This will be catastrophic for our state, but will happen none the less.

Allowing for unlimited damages for pain and suffering would be detrimental to the advances we have made in our profession to move away from defensive medicine. It is my sincere hope the committee considers the bigger picture and implications of this proposal and conclude that it would be a step in the wrong direction.

Respectfully yours,

Dr. Dann Leonard, M.D.