



HOUSE OF REPRESENTATIVES

To: Members of the House Committee on Behavioral Health and Health Care

Date: February 7, 2023

Subject: Support HB 4130

Thank you Chair Nosse, Vice Chairs Goodwin and Nelson, and members of the committee.

I am Dr. Maxine Dexter and I am honored to be the State Representative for House District 33, which includes NW & Downtown Portland, Linnton, and Cathedral Park. Thank you for this opportunity today to share my support for HB 4130, which is a good first step towards ensuring that decisions about care stay between patients and their doctors.

I am speaking today as a physician who sees every day the value of the doctor-patient relationship and went into medicine to care for people and our community, not to jump through administrative hoops. I am not alone. Our ability to provide compassionate, personalized care for our patients has eroded over time as time actually caring for patients becomes more and more limited due to competing interests of insufficient reimbursement, and increasing administrative burden driven by insurance companies and government regulation. This increasingly challenging practice environment has resulted in a dramatic decrease in the number of independent clinics and clinician-owned group practices. Independent professional corporations, owned by the providers of care, have increasingly been selling their practices to outside interests and private equity. These owners are profit-driven and may not center the needs of the patients and clinicians when making business decisions. This can lead to further erosion of doctors' abilities to provide the care they feel best serves their patients.

As clinician skills are in high demand, we have some level of agency to leave practices and join others. As this occurs, physicians can theoretically "take their patients with them". These corporate owners will often combat this by requiring non-compete contracts be signed which can limit doctors' abilities to care for patients, particularly in smaller communities. As an example, Optum recently purchased the Corvallis Clinic. Non-compete agreements from that arrangement have put access to care at risk. We already have a shortage of physicians, particularly in rural communities, and we should do everything we can to support doctors who have established themselves in those communities. Our families, friends and communities rely on their local doctors, and ending noncompete clauses can help protect patients' ability to maintain their trusted relationship and access to personalized care.

This bill is about reaffirming the longstanding commitment that physicians, those who have spent years of their lives dedicated to helping others, make autonomous clinical decisions in partnership with patients. Not corporations. Not insurance companies. As we look ahead to a growing nationwide physician shortage, Oregon cannot afford to waste this opportunity to start

on an intentional pathway toward creating a more welcoming and supportive environment for physician-owned practices to stay in Oregon.

That being said, I want to be sure that we clearly see this bill as a starting point. I also will share that I'm concerned some aspects of this policy may lead to struggling groups folding rather than selling which ultimately can lead to declining access, especially in rural areas. I have discussed this concern with Representative Bowman and understand this is an area of ongoing focus. To be clear, just decreasing the ability of outside interests to own physician groups does nothing to address the reasons that doctors are selling practices to begin with. I encourage my legislative colleagues to continue working in coming sessions on how we can incentivize the opening and help sustain independently owned practices and clinics in our state. We have enormous access challenges in Oregon and investing time and thought into how we create opportunities for clinicians to retain professional autonomy and business success is in the best interest of not just clinicians but more importantly, patients and our communities.

I am grateful for the work of Representative Bowman for his leadership in this area which has not been an easy lift. I am in support of his work here with HB 4130 and hope he will continue in this work in future sessions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maxine Dexter', with a stylized, flowing script.

Representative Maxine Dexter, M.D.
House District 33 (Northwest and Downtown Portland, Linnton, and Cathedral Park)