

Submitter: Evan Saulino

On Behalf Of:

Committee: Senate Committee On Health Care

Measure: HB4130

I am a family physician, and I work with clinical, insurance, business, and non-profit Community Benefit Organizations across Oregon, and in other states.

I have seen firsthand the changes in decision making and the resulting trauma that can occur when corporations take over health care entities, and the financial folks make decisions primarily to maximize corporate profits over the best for communities.

I also have seen the damage done by non-compete clauses in healthcare - a particular care disruption in areas of extreme need (e.g. nephrology, neurology, primary care, obstetrics, etc). It is absolutely appropriate to outlaw these clauses to prevent continued harm to human beings. Any perceived business need to maximize profits or protect market-share should be secondary. Any need to protect "industry secrets" can be dealt with separately in any contract without non-compete clauses.

These issues have set us on the wrong course, and we need to act now. Numerous clinical organizations I've worked with on population health and value based payment - in urban and rural districts - have been bought by for profit corporations the last few years as a financial investment strategy, sometimes keeping the original name - as non-transparent as possible with the communities they serve. At times it's clear even the physicians are not made appropriately aware of the changes in legal status and management when these financial decisions occur.

We need our State Legislature to approach Corporate Practice of Medicine (CPOM) laws based on the fundamental understanding that there is an intrinsic conflict between clinicians' professional obligations of care to their patients and the profit-oriented obligations of corporations to maximize returns to their shareholders.

HB 4130 sets a course to close loopholes in Oregon's CPOM doctrine, blocking corporations or private equity investors from owning or indirectly controlling medical practices and the decisions of healthcare providers. HB 4130 also limits corporate owners from enforcing non-compete/non-disclosure agreements and non-disparagement clauses for specific providers. These are increasingly common practices that leave clinicians handcuffed and unable to speak out about harmful conditions or start their own independent practice.

I urge your strong support of HB4130.