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**Senate Committee on Health Care**

Senator Deb Patterson  
Senator Tim Knopp  
Senator Lee Beyer  
Senator Dallas Heard  
Senator James Manning, Jr.

**REGARDING: SB 684**

Hello Senators,

My name is Dr. Eric Dover. For over thirteen years I and others have alerted the Oregon legislative body, Governors, Attorney Generals, and the Secretaries of State to the horrors occurring at the Oregon Medical Board (OMB). To date, no one has taken an interest in this shameful state of affairs.

**I am lukewarm regarding SB 684.** I appreciate Dr. Elizabeth Harmon’s concerns and goals, but the fact remains, we already know the horrendous, unconstitutional, and criminal crises associated with the OMB and other healthcare boards. I see SB684 as a waste of time and taxpayer money, and that the OMB will do everything in their power to subvert the process. The OMB met with a group of lawyers and County Medical Society leaders two years ago but refused to speak to their concerns regarding the OMB’s erratic behavior and approach to licensee cases; they stated they had no idea how to represent their clients and members.

The OMB, as all Oregon boards, has **no meaningful oversight** as specified by the **SCOTUS** in a number of landmark cases. Meaningful oversight is required if boards are to be granted “**Parker immunity**” in court. As a result of Oregon’s state legislature not implementing the “**Midcal rules**” as are prescribed by the **SCOTUS** in their **North Carolina State Board of Dental Examiners v. FTC (2015)** decision, the OMB members and staff have no immunity whatsoever because they are nothing but a private trade association according to the **SCOTUS**

**(Exhibit - A)** and by the Antitrust Division of the U.S. Department of Justice **(Exhibit – B)**. Other State and legal authorities agree. **(Exhibit – C, D, E, F)**

The private trade association OMB has put themselves and their board members into an untenable situation where the OMB staff and board members can and will be sued in their private person. They have **no immunity** and are not allowed as a private trade association to receive any Oregon DOJ legal assistance. Richard Kaul, MD in New Jersey and Arnold Feldman, MD in Louisiana are the first to use the SCOTUS **North Carolina State Board of Dental Examiners v. FTC (2015)** decision in the federal courts and they are gaining traction. I will soon be doing the same. There is an army of others in the wings in all medical disciplines who will soon be filing lawsuits against their respective private trade association health care boards and board members.

Healthcare licensees are allowed no due process, discovery, cross examination of witnesses, exculpatory evidence, or material legal counsel. They are offered a choice of a sham hearing that has a predetermined outcome or, as most licensees acquiesce to, a Stipulated Order where they accede to all allegations and remediation made by the board and in addition relinquish all future legal rights such as a hearing or appeal.

The OMB has never lost a hearing because they control the entire pretense of justice. They overturn ANY Administrative Law Judge's (ALJ) decision they disagree with. The OMB typically controls the ALJ's at these sham hearings. The OMB, the Oregon DOJ and the Administrative Hearings Office all have a significant pecuniary interest in the sham hearing outcomes.

This is not a problem localized to Oregon. This is nationwide as evidenced by Louisiana State Senator (lawyer by trade) John Milkovich's Physician's Rights bill that passed the Louisiana Senate but unfortunately could not make it out of committee in the House. **(Exhibit – G)** All the Act asked for was Due Process and Fair Hearings for physician licensees. Sen. Milkovich's bill was a good first step, but it still falls quite short of what is commanded by the SCOTUS regarding oversight of boards controlled by licensee peers.

I have written the third draft of a Physician Bill of Rights for Oregon that incorporates what the SCOTUS has commanded. **(Exhibit – H)** Physicians should

not have to have a bill passed for constitutional rights that have already been afforded to them for almost 250 years.

The legislature should **immediately focus on a solution** along the lines I have put forth. First, licensees and their families and patients will continue to be destroyed and commit suicide if there is no remedy to this dreadful situation.

Second, as noted earlier, lawsuits in federal courts across the U.S. are about to be filed in great number. They will be targeting the OMB and other healthcare boards and those associated with them. This is not a threat, this is a reality because of state legislatures failure to address the horrendous injustices directed towards licensees who are treated like political prisoners in a totalitarian system.

I have much more information and many additional documents, but I will leave that to you to ask for them. I am happy to work with the legislature to fix this abysmal constitutional catastrophe. I also am happy to provide contacts for dozens of healthcare licensees and their families that have been destroyed by the OMB and other Oregon healthcare licensing boards, licensees who have caused no harm while the OMB protects licensees who are friends, partners, associates, etc. who are extremely dangerous to public safety. I can provide the documents of these dangerous physicians who received a “pass” from the OMB. The OMB attacks competitors, Integrative Medicine physicians, individuals they dislike or have a personal grudge against, those who refuse to sign OMB false allegations, those who believe they have constitutional rights and protections, those in solo or small group practices, etc.

Oregon has an extremely serious problem with racketeering, medical racism and classism, the diversion of narcotics, the withholding of care, the selling of all medical information even HIV status, the selling of foreign college students’ medical records, and much more. Many in Oregon government are aware of this but do nothing because they are intimately involved in these criminal acts.

The Oregon Health Authority (OHA) sells health care information to intermediaries who then sell it to private business, private physicians, credit agencies, insurance companies, etc.

Taxpayer money intended for the poor is being stolen via Coordinated Care

Organizations in Oregon.

A whistleblower has put his and his family's lives in danger as a result of trying to expose this information. An in-depth two-hour video with numerous documents confirming the whistleblower's allegations are at [CorruptOregon.weebly.com](http://CorruptOregon.weebly.com). The whistleblower is happy to speak with any of you in great detail. The OMB is aware of the whistleblower, but instead of protecting the public has made him a target instead.

**OMB reformation** begins with removing the criminal actors involved, setting up meaningful oversight as commanded by the SCOTUS and redress and restitution for those unconstitutionally and criminally harmed by the OMB in the past.

Respectfully,

Eric Dover, MD

Addendum – **Exhibit I** – Complaint to FTC regarding OMB

**Exhibits:**

**A** - North Carolina State Board of Dental Examiners v. FTC (2015) decision

**B** - STATEMENT OF INTEREST ON BEHALF OF THE UNITED STATES OF AMERICA – AAG Makan Delrahim – Antitrust Division of DOJ

**C** - Connecticut and the NC Dental Board decision

**D** – “Another View -- Maynard F. Thomson: Without licensing reform, board members are at risk”

**E** - University of San Diego School of Law – Center for Public Interest Law

**F** – Health Capital Topics – November 2015

**G - Louisiana Senate Bill for Physician Due Process and Fair Hearings**

**H – Physician’s Bill of Rights for Oregon**

**I – Complaint to FTC Requesting Investigation of OMB**