

TESTIMONY IN SUPPORT OF SB 957A

May 6, 2025

Chair Nosse, Vice Chairs Javadi and Nelson, and Members of the House Committee on Behavioral Health and Health Care:

I am Dr. Jacek (Jack) Haciaak, a retired Licensed Psychologist and mental health program administrator now operating a consultation service, DynamicChanges LLC. I provided private practice therapy services for several years in Michigan and Colorado. I also had to deal with public agency practitioners employed by my organizations in Oregon and three other states who also provided private services on their personal time and faced limitations from non-compete contract clauses.

I am writing in support of SB 957A.

In contrast to the majority of testimony on SB 957A and other non-compete bills which has focused mostly on macro business issues, I want to focus on the more fundamental micro issue of who should bear the greater risk in health care: the citizen and their risk of illness and death, or the investor and their risk of less than maximum profit gain.

A citizen seeking health care is often needing medical intervention to prevent disease, illness, or death. By necessity, they are dependent on medical providers for health and life-saving care. Their risk of suffering, impairment, and death is not voluntarily chosen.

An investor in the healthcare free market carefully calculates their risks of error and financial loss to chance a profit. They are not compelled by survival instincts to invest, nor are they even required to invest in order to have a fulfilling life. Their risk is voluntarily chosen.

Investors can lessen their risk of financial loss by limiting free market competition through non-compete contracts which reduce citizens' access to healthcare. When a community's citizens are asked to lessen investors' financial risks by taking on greater risks to their own health from a dearth of healthcare providers, who has made the voluntary choices and bear the greater responsibility if human suffering, impairment, or death ensues?

Please pass SB 957A and ensure that Oregon citizens do not incur limitations on the quality of their medical care resulting from non-compete contractual requirements designed to limit the business risks of owners and investors. Let us hold those having the luxury of voluntary choice take responsibility for the outcomes of their decisions, and not those who had no choice.

Thank you.

Jacek Haciak, Psy.D., Director

DynamicChanges LLC

Salem, OR