My story (experience) demonstrates how the State of Oregon, the Oregon Medical Board (OMB) in particular, disregarded my civil and constitutional rights. My case is nothing special; this is typical OMB behavior - they routinely treat all Oregonian’s this way. My narrative describes in detail the level of abuse and bullying that the OMB, their Executive Director Kathleen Haley and their “legal counsel” Assistant Attorney General Warren Foote are willing to resort to destroy citizens, families and physicians in this state, especially if it’s in regards to medical cannabis. My story demonstrates the extreme criminal behavior the OMB resorts to and the absolute lack of oversight there is over these governmental bullies. The OMB’s brutality is both psychological and financial. It’s affected not just me, but also my patients, family and those dependent upon me financially. During these times our government and schools rail against bullying, yet they participate in it routinely. **First I present you with some important and extremely relevant definitions.**

**Bullying** is a form of [abuse](http://en.wikipedia.org/wiki/Abuse). It involves repeated acts over time attempting to create or enforce one person's (or group's) power over another person (or group), thus an "imbalance of power". The "imbalance of power" may be social power and/or physical power. The victim of bullying is sometimes referred to as a target. Bullying types of behavior are often rooted in a would-be bully's inability to empathize with those whom he or she would target.

Bullying consists of three basic types of abuse – [emotional](http://en.wikipedia.org/wiki/Psychological_abuse), [verbal](http://en.wikipedia.org/wiki/Verbal_abuse) and [physical](http://en.wikipedia.org/wiki/Physical_abuse). It typically involves subtle methods of [coercion](http://en.wikipedia.org/wiki/Coercion) such as [psychological manipulation](http://en.wikipedia.org/wiki/Psychological_manipulation). Bullying can be defined in many different ways. Although the [UK](http://en.wikipedia.org/wiki/United_Kingdom) currently has no legal definition of bullying, some [US](http://en.wikipedia.org/wiki/United_States) states have laws against it.

Bullying ranges from simple one on one bullying to more complex bullying in which the bully may have one or more 'lieutenants' who may seem to be willing to assist the primary bully in his bullying activities. Bullying in school and the workplace is also referred to as peer abuse. [Robert W. Fuller](http://en.wikipedia.org/wiki/Robert_W._Fuller) has analyzed bullying in the context of [rankism](http://en.wikipedia.org/wiki/Rankism).

**Rankism** is a term coined by physicist, educator, and [citizen diplomat](http://en.wikipedia.org/wiki/Citizen_diplomacy) [Robert W. Fuller](http://en.wikipedia.org/wiki/Robert_W._Fuller). Fuller has defined rankism as: "abusive, discriminatory, or exploitative behavior towards people because of their rank in a particular hierarchy". Fuller claims that rankism also describes the abuse of the power inherent in superior rank, with the view that rank-based abuse underlies many other phenomena such as [bullying](http://en.wikipedia.org/wiki/Bullying), [racism](http://en.wikipedia.org/wiki/Racism), [sexism](http://en.wikipedia.org/wiki/Sexism), and [homophobia](http://en.wikipedia.org/wiki/Homophobia).

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**Fuller asserts that rankism involves**:

* exploiting one's position within a hierarchy to secure unwarranted advantages and benefits, without regard to the deprivation of people deemed to be inferior;
* illegitimate use of rank (e.g., abusive parent, [priest](http://en.wikipedia.org/wiki/Religious_abuse), [corrupt CEO](http://en.wikipedia.org/wiki/Corporate_corruption), [bully boss](http://en.wikipedia.org/wiki/Workplace_bullying), [prisoner abuse](http://en.wikipedia.org/wiki/Prisoner_abuse), etc.);
* treating rank as a shield that permits one person to [insult](http://en.wikipedia.org/wiki/Insult) or [humiliate](http://en.wikipedia.org/wiki/Humiliate) others with impunity;
* using rank to perpetuate position long after it can be justified while quashing talented people who might challenge that position;
* exporting rank achieved in one sphere of activity to claim superior importance as a person;
* use of rank illegitimately acquired or held (as in situations resting on specious distinctions of social rank such as [racism](http://en.wikipedia.org/wiki/Racism), [sexism](http://en.wikipedia.org/wiki/Sexism), etc.).

Fuller has also theorized that:

* victims of rankists may find themselves publicly humiliated or [ignored](http://en.wikipedia.org/wiki/Silent_treatment) and treated as invisible;
* rankism can occur in any [social hierarchy](http://en.wikipedia.org/wiki/Social_hierarchy), such as **governments**, corporations, families, non-profit organizations, and universities;
* the opponents of rankism believe that position and power should be used to serve the group over which one holds authority.

 **Definitions**

Bullying is an act of repeated aggressive behavior in order to intentionally hurt another person, physically or mentally. Bullying is characterized by an individual behaving in a certain way to gain [power](http://en.wikipedia.org/wiki/Power_%28sociology%29) over another person.

Norwegian researcher Dan Olweus defines bullying as when a person is **"exposed, repeatedly and over time, to negative actions on the part of one or more other persons." He defines negative action as "when a person intentionally inflicts injury or discomfort upon another person, through physical contact, through words or in other ways".**

***In the act of bullying the bully attempts to make a public statement to the effect of: 'See me and fear me, I am so powerful that I have the ability to inflict pain upon the intended target at the time and manner of my choice without having to pay any consequences.***

The above definitions are necessary to understand the Oregon Medical Board (OMB), Kathleen Haley and Assistant Attorney General Warren Foote and how they bullied me with their rankism from 2008 to 2011. They currently continue to assault and attack OMB licensees with the same *modus operandi*. The above definitions fit the OMB like a tailor made glove.  **Individuals directly involved in the bullying and rankism I experienced were OMB Medical Directors Dr. Phillip Parshley, Dr. James Peck and Dr. Joseph Thaler; OMB members Dr. Ralph Yates, Dr. Gary LeClair, Dr. Douglas Kirkpatrick, Dr. Kent Williamson and Dr. Roger McKImmey along with a long list of others ; Dr. James Calvert, a rural Family Physician who acted as a “pseudo-expert” in rheumatology; OMB in house lawyer Executive Director Kathleen Haley; and Oregon Assistant Attorney General Warren Foote.**

On 1/4/08 I saw Patient A at Voter Power’s Medford, Oregon clinic. Voter Power was a nonprofit organization that helped get medical cannabis “legalized” in Oregon and arranged clinics for patients to be evaluated for consideration in the Oregon Medical Marijuana Program (OMMP). Patient A came in that day wanting a signature on the Physician Statement form. A physician’s signature on this form means nothing more than that medical cannabis may be helpful for the patient. He stated he had had severe gout for 20 plus years. He brought in two pages of documentation from an Urgent Care that stated he had had two episodes of joint inflammation. There was no work up, treatment, or follow up arranged other than the patient was prescribed Indomethicin. **Those two Urgent Care records have never been seen since that day and my personal belief is they were fabricated medical records.**

With Patient A having nothing more than what seemed to be two falsified medical records and an unremarkable exam for chronic or acute gout, I offered to order X-rays of three different joints of Patient A’s body at his request to give him the opportunity to prove he had severe gouty disease. The patient chose these three joints based upon the fact that they had supposedly been inflamed numerous times over the past 20 plus years. **The x-rays showed no changes consistent with gout, not even minor changes.** For someone who supposedly had “severe recurrent gout recalcitrant to treatment” (the OMB’s own words after they reviewed this patient’s medical records) there should be significant radiologic changes in Patient A’s joints as are pictured on the Home page of this website. As you can see, chronic gout is typically horrific looking. Even without x-rays you should clinically be able to see significant deformities in the joints in chronic gout patients. Patient A had none.

I told Patient A that he did not qualify for my signature on the Physician Statement for OMMP at that time because he needed further evaluation and treatment of whatever medical process may be occurring. Patient A was told that multiple medical problems could be the cause of his symptoms such as osteoarthritis, gout, pseudogout, etc. Patient A was informed that if gout was confirmed as his medical problem that there were treatments available that basically “cured” this disease. Patient A asked what kind of treatment was available. The patient was told that there were multiple medications available and that a thorough workup would determine the medication used. Patient A was told one medication was Allopurinol. The patient stated that he was allergic to it, yet he had no documentation to confirm he had been given a prescription for this medication or had a reaction to it. He could not recall the pharmacy he got the Allopurinal at a couple of weeks earlier nor did he have the bottle at home because he stated he threw it away when he had the supposed “reaction”. He only lived about two miles from the Voter Power Clinic. Patient A was given his money back that day by Voter Power. He then went on to cause a severe disruption at the clinic screaming and yelling. When he left he took the two documents he had brought in, Voter Power’s paperwork and another patient’s records. That was the last I ever saw or heard from Patient A until my hearing.

Patient A subsequently went to Dr. Darryl George in Medford. Dr. Darryl George signed the Physician Statement for Patient A using the diagnosis of gout as the patient’s qualifier for the OMMP. No work up or evaluation had been done at that point by another physician nor was one done by Dr. Darryl George to confirm Patient A’s supposed medical problem. No evaluation, treatment or follow up were offered by Dr. Darryl George regarding the gout he diagnosed. Dr. Darryl George did take the time to help Patient A file a complaint with the OMB regarding me. Dr. Darryl George and I have never met, but I am quite aware of his hatred of Voter Power or anyone else helping patients regarding the OMMP in his neck of the woods. I always assumed this was secondary to financial reasons; he didn’t want anyone on his turf. I did read the letters he sent to Voter Power, the OMB and me. His letters were over the top with his anger, false accusations and threats. One letter I read was a complaint about me to the OMB. They responded stating they could do nothing ***unless he could find a patient to initiate the complaint.***

Many patients that came to Voter Power’s clinic were refugees from Dr. Darryl George’s clinic. They basically described a disturbed individual that was all consumed with money. He required quarterly follow ups of the OMMP patients no matter how far away they lived or how difficult physically or financially it was for them. The only way you could get out of coming back to his office was if you just sent the money in. Many of these patient’s described a physician who walked into the exam room with white powder around his nose and nostrils. **A woman who worked for Dr. Darryl George for 2 ½ years witnessed him using cocaine at and away from his office. She would have to tell him to wipe the cocaine powder from his nose before going into exam rooms. He offered her cocaine. She filed a complaint to the OMB about these and other of Dr. Darryl George’s deviant behaviors.** When she was called by the investigator from the OMB the first question she was asked was about her ties to me, Dr. Dover. She gave the investigator the name and phone numbers of two other individuals who had witnessed Dr. X using cocaine. She stated she was willing to take a lie detector test. She eventually received a letter from the OMB stating her complaint was too late and there was nothing further they could or would do. **Why would the OMB not be extremely concerned about a physician using cocaine?** Why would they want to tie the complaint to me?

On 2/8/08 I received a letter from the OMB regarding Patient A’s complaint. I was accused of refusing to look at his chart notes, not signing the Physician Statement for the OMMP for him, telling him to take a medication he was allergic to, x-raying his wrong foot and mixing up his records with another patient’s records.

Let’s take these accusations one at a time. First I’m accused of refusing to look at Patient A’s records. As noted above, the patient brought in two Urgent Care records that have never been seen or produced since. Patient A was given a chance to produce further records but didn’t or couldn’t. He had stated at the clinic that he had numerous records but in three years they never materialized. This answers the second accusation of not signing Patient A’s Physician Statement for the OMMP. Why would I sign the patient’s form without definitive documentation of his medical condition? Why wouldn’t the OMB be appreciative of such prudent medical evaluation?

I’m also accused of telling Patient A to take a medication he was supposedly allergic to. Patient A was not told to take any medication nor was one prescribed by me to him. I was only at the Voter Power clinic to evaluate patients for whether they qualified for my signature on the OMMP Physician Statement form. No medical treatment was ever given at the clinic.

Next is the accusation of x-raying the incorrect foot of Patient A. Patient A’s right foot, right knee and right elbow were x-rayed as requested by the patient the day of his Voter Power clinic visit. Patient A wanted to prove the severity of his proclaimed problem of gout. Therefore, because of the patient’s lack of records, I ordered the x-rays to help him prove how severe his gout had been over the years. Nothing was seen on the x-rays consistent with even a mild history of gout let alone a history as long and severe as Patient A had outlined. As was found two years later, when a paucity of records (nine pages) were finally received from Asst. Attorney General Warren Foote after two plus years of asking for any records, it turns out Patient A had never complained of any problems or pain with his left foot. In fact, of the three documented office visits related to “arthralgia” over 20 years that he had, the only skeletal structure problem he complained of was right foot pain. **It only makes sense that the correct foot was x-rayed on 1/4/08**. Of note, the records showed no previous complaints of right elbow, right knee or any other joint problems. These nine pages of records were never presented to me, but if they had been, he still would have been denied my signature on his form.

Lastly, is the accusation of me supposedly mixing up patients records. This was a mistake made by the Voter Power staff during and because of the commotion Patient A caused. He was yelling and ranting because he couldn’t get his OMMP form signed. It seems that Patient A most likely took the other patients records with him when he left the clinic that day.

 **All my problems with the OMB were the result of me asking Patient A to go back to his physician for further evaluation and treatment of his medical issue. That’s what prudent medical care is all about, something the OMB either doesn’t understand and/or care about. Or maybe they have some other agenda?**

The letter from the OMB sent 2/8/08 was mailed to Voter Power instead of my own office. The OMB sent a confidential letter to an address that was not mine. They had had my only office address on file for 6 years at that time. The letter the OMB sent was opened by volunteers. The OMB broke my confidentiality along with patient A’s. I called Jay Drum, a detective at the OMB, to report to him the mistake he’d made. I was told it would not happen again.

After receiving the 2/8/08 OMB letter, I twice requested any available records regarding the case. My requests went completely ignored. I answered their questions without any records and only from what I could remember.

In June of 2008 a second confidential letter was sent by Det. Jay Drum to me. Again, this letter was mailed to Voter Power. Again, Patient A’s and my confidentiality were broken. Again, the letter was opened by volunteers. The first time this occurred Mr. Drum was called on the phone. The second time I sent him a letter dated 7/1/08. This still didn’t solve the problem because a third confidential letter for me was sent to Voter Power. **I get bullied by the OMB for Voter Power staff possibly mixing up patient records, yet the OMB can break my confidentiality as often as they like and no one cares; not the OMB, the governor or the State Attorney General. Letters of concern have been sent to the Governor’s and State Attorney General’s office on multiple occasions about the OMB and Assistant Attorney General Warren Foote. The only responses I got were a letter from the Attorney General’s office saying they can’t do anything about my concerns and a letter from the Governor’s office that states basically the same and that the OMB blamed me for not keeping their office up to date with my office address. Yet on 1/1/08 I was mailed my new medical license from the OMB to my office address as they had done every 2 years for six years prior. On that license is my office address and the date it was to take effect 1/1/08.** The OMB didn’t mail the license to Voter Power nor did the license have Voter Power’s address on it. Yet one month later I’m having confidential material mailed to a non profit’s office.

The OMB sent a letter 9/5/08 requesting five charts from the Voter Power clinic for them to review. Of the five charts sent one patient had HIV and Hep C, two had Multiple Sclerosis (MS), one had three failed low back surgeries with chronic pain and the last patient had Stage 4 (end stage) colon cancer. All of them had extensive documentation of their disease processes and all were using cannabis medically although not all of them were in the program yet.

A letter requesting my presence for interrogation by the OMB Investigative Committee was sent 4/2/09. **My lawyer sent requests for records on FOUR separate occasions. These requests were ignored in general. No records were received prior to the interrogation.** One letter was sent by the OMB to my lawyer stating the records would be sent. They never followed through and ignored subsequent requests for the records. This cost me money each time my lawyer had to make these requests and then read letters sent back from the OMB. This is just one of the many ways they bully you via rankism. They know they can get away with it because they always have. They fully recognize they have no oversight.

At my interrogation I sat with my lawyer as I was accused of all kinds of things. I was accused of telling Patient A to get a handgun and how he could get a concealed weapon permit. I didn’t and don’t have a concealed weapon permit and to this day still have no idea of how to get one. Patient A stated that people at Voter Power openly used medical cannabis which was completely untrue. There was a closed room with special ventilation where only patients in the OMMP were able to medicate being that they could easily use up a day between travel and being seen at the Voter Power clinic. The OMB stated Dr. Leveque, a physician who years earlier had helped Voter Power and had his license revoked for doing so, was still working with Voter Power. To this day I have never seen nor met the man. The OMB made classist, prejudiced statements by asking questions about clothing supposedly worn by the volunteers and staff at the clinic. The OMB interrogators were indignant as they sat there making uninformed judgments about me, staff at the Voter Power clinic and the patients who came to the clinic for medicinal help. The primary interrogators were Dr. Yates, Dr. Calvert, Dr. LeClaire, Dr. Kirkpatrick and Mr. Warren Foote. The accusations were endless.

Each OMB member present at the interrogation looked at computer screens with the supposed medical records of Patient A. My lawyer again asked multiple times for access to these documents, but again his requests went literally unacknowledged, like he hadn’t even asked for them.

**If you look at the minutes from the interrogation you can read the confusion of the OMB. They had no idea of what was occurring with my case and no idea of how the OMMP or the state laws associated with it worked.** They had no idea I had a lawyer coming. I was not allowed to explain myself and was interrupted 90% of the time. You should read the transcripts or better yet listen to the tape. It is truly pathetic and just another example of bullying by the OMB and Mr. Warren Foote.

After the interrogation a letter was sent from the OMB stating that a hearing would occur**. I was charged with** not signing Patient A’s Physician Statement for the OMMP, failing to recognize that Patient A had “severe long term gout recalcitrant to treatment”, telling the patient to take a medication he was allergic to, ordering an x-ray of the patient’s wrong foot, not conducting a physical exam of any sort, refusing to review the patient's records and mixing up Patient A’s records with another patient’s. Of the additional five charts from Voter Power that were reviewed, I was accused of reviewing one of the charts incorrectly. **Supposedly, one of the patients didn’t have Multiple Sclerosis per Dr. Calvert’s and the OMB’s review. That surprised me considering that she had two plus inches of medical chart notes all of which documented that she had MS, including specialist visits and radiological studies.** I was also accused of filling out the forms for the State OMMP in a trite fashion and not thoroughly evaluating the use of cannabis in relationship to other patient co-morbidities.

In mid November of 2009 I was sent a letter by the OMB that requested that I go to a program in Colorado for 10 plus days for a thorough evaluation of my clinical knowledge. I was given 30 days to register for this program. All costs associated with this program and income lost fell upon me. At this juncture I had still not received even one document related to the case. I wrote a letter to the OMB stating that I refused to go to a program when I couldn’t see and evaluate any of the evidence that the OMB had regarding Patient A and their charges against me. After the deadline for applying to the program had passed, I then received an envelope from Assistant Attorney General Warren Foote on December 23rd, 2009. It contained seven pages of medical records pertaining to Patient A. **It took two years, multiple letters and verbal requests from my lawyer and me and additional legal costs to me to get a hold of seven pages of medical records for Patient A that I had never seen. The two Urgent Care records that the patient originally brought in were not part of the packet and were never seen again. I feel certain these “Urgent Care records” were fabricated. I might as well be living in China or North Korea the way the OMB, the State of Oregon and Warren Foote operate.** **They make the accusations and withhold any information about your case while they use hearsay, incompetent investigators, lies and don’t allow any Discovery.**

A hearing was then scheduled to take away my privilege to practice medicine in Oregon, or anywhere else in the U.S., forever. At this point the OMB had legally labeled me as being a “grossly negligent physician” for two years. Why would they allow a “grossly negligent physician” to continue to practice medicine? They have the ability to emergently suspend a physician’s license immediately if they like. **Doesn’t that make the OMB and Asst. Attorney General Warren Foote** **grossly negligent for allowing me to continue to practice medicine for three years after being deemed grossly negligent by them?**

At that point my attorney, Paul Loney, asked for additional information related to the case. This would be for items such as labs, specialist reports, pharmacy records, etc regarding Patient A.  **What we received from Assistant Attorney General Warren Foote was the middle finger.** He stated bluntly and plainly in a responding letter that he and the OMB would in no way help out with the investigation and that they had no obligation to provide any of this information.

The hearing was in September of 2010. **The day before the hearing Warren Foote faxed 2 pages of medical records to my lawyer. They were lab results that we had requested for years. Now we’d received a grand total of nine pages of records.** Patient A stated that he had handed me 1 ½ inches of chart notes the day he saw me and that I refused to look at them. First, that would be extremely uncharacteristic of me to do. Second, where are these records because nine pages is nowhere close to 1 ½ inches of thickness.

The hearing was held for two consecutive days. **The hearing was supposedly closed, but the Medical Board had a whole array of people there who had nothing to do with my case.** They came and went as they pleased. One individual approached me in the restroom at a break and started engaging me about the case as I urinated. His name was Lanny Bennett and turns out he was there for security – an old man with a gun. He was never involved in my case and why was he talking to me directly and asking me questions about my case while I’m urinating? This was extremely unprofessional, but then **the OMB and Assistant Attorney General Warren Foote were anything but professional throughout the three years I dealt with them.**

**During the hearing, Assistant Attorney General Warren Foote on three separate occasions announced to the Administrative Law Judge (ALJ) Rick Barber that he and the OMB could use hearsay during the hearings. According to my lawyer we’re the only state in the nation that allows our Medical Board to use hearsay!** HEARSAY!! Again, I might as well live in China or North Korea. What Oregon has is an **“injustice system”** that our Democratic “public servants” endorse and utilize as needed. I have been utterly surprised to see the Third World, totalitarian governmental/justice system we have in Oregon.

During the hearing the OMB and Warren Foote presented Dr. James Calvert as an expert witness. He hails from Klamath Falls Oregon and is a Family Physician there with ties to OHSU’s Medical School Program***. He supposedly was an expert in reviewing charts.***  Dr. Calvert and the OMB Investigative Committee accused me of incorrectly reviewing one of the five charts they had requested from Voter Power. For three years I was told that I had reviewed a chart incorrectly and that one of the patients didn’t have MS (as discussed above). After I took the witness stand and told my story they must have went back and checked the records, because before closing arguments**, Mr. Warren Foote had to admit that I did review the chart correctly and that the patient did have MS. Now why aren’t Dr. Calvert and others on the OMB in trouble for doing such a poor review of the charts? Rankism that’s why. ALJ Rick Barber doesn’t even put any of this into his report!** For three years I put up with false accusations and not one word of justice from the ALJ. Pathetic! Why any Oregonian is willing to pay a dime in taxes to this corrupt State is amazing to me.

 ***Dr. James Calvert was also erroneously put forth as an expert in the treatment and evaluation of gout by the OMB and Mr. Warren Foote.*** On both days of the hearing Dr. Calvert came in looking disheveled and unkempt, basically looking like a bum without a tie. During the hearing Dr. Calvert gave an extremely pathetic overview of gout. When he was asked more pointed questions it became obvious he had a very cursory understanding of the evaluation and treatment of gout. At the hearing he was presented with the evaluations and treatments recommended by the “Bibles” of Internal Medicine, such as Harrison’s and Cecil’s, and rheumatology websites, such as the University of Boston. Dr. James Calvert stated that these world renowned experts were all incorrect in regards to what they unanimously recommended regarding medical evaluation and treatment of gout and that he, a Family Physician out of Klamath Falls, was correct. Can you believe the ego of Dr. James Calvert, Mr. Warren Foote and the rest of the OMB? The world’s most respected rheumatologists are supposedly wrong, and Dr. Calvert is right, even though these true experts do research regarding gout and keep up to date with the scientific research.

Then, being the “expert in gout” that Dr. James Calvert is, he surprised me that he had never heard, nor was he aware, of the first new treatment for gout in 40 years. That new drug was Uloric. Uloric had been on the market for 1 ½ years at the time of my hearing. It was already on TV commercials. I had 2 hours of CME (continuing medical education) on the product by the time of the hearing. Patients were already asking me about this new medication they’d seen it on TV. **And Dr. Calvert knew nothing of this medicine? Dr. Calvert disagrees with world authorities regarding the evaluation and treatment of gout? The audacity of Dr. Calvert and the OMB!** **Is Dr. Calvert really allowed to teach in the OHSU System? And again, ALJ Rick Barber puts nothing in his report of Dr. Calvert’s lack of knowledge about gout or the fact that he wasn’t the expert he presented himself to be.** The tape of the hearing reveals it all.

Welcome to the “Injustice System“of the supposedly liberal and progressive State of Oregon. **A state where your Democratic Governors and Attorney Generals don’t give a damn about what their State Medical Board does, how it has persecuted and blacklisted many physicians for years or how it tramples Oregonian’s civil rights.** All I can assume (and as I’ve seen over 20 years in this State) is that all our Boards, Commissions and Courts are corrupt and led by incompetent criminals called politicians.

Patient A was put on the stand at the hearing. Under oath he stated that he had given me 1 ½“ of paper records to review and that I refused to look at them. He stated that he was a “fastidious record keeper”. Paul Loney held up the nine pages of records we had finally received and asked where the other records were. Patient A pointed to his briefcase. When Patient A was asked to present them he sheepishly responded and slowly removed two groups of paper, each paper clipped. Damn if these weren’t the same 9 pages we already had except now with two more sets. Paul Loney held up these three sets of 9 identical pages and asked where the other records were. No response from Patient A. No requirement for Patient A to produce these records. No concerns about Patient A committing perjury under oath. **Once again, there is no mention of these concerns in the ALJ’s report. Remember, the OMB and Mr. Warren Foote can use hearsay and their witnesses can commit perjury.**

It says a lot about the people in your government if they are allowed, and are willing, to use hearsay in court. Detective Jay Drum used hearsay on the witness stand regarding Patient B whose records were supposedly mixed up with Patient A’s. Why would Mr. Drum speak for Patient B? Why couldn’t Patient B speak for himself? The reason is the OMB had to make things up to help make their case stick, just like they had to ignore the cocaine complaint against Dr. Darryl George. The OMB and Warren Foote use whatever helps their case no matter how illegal, and ignores, or literally excludes, any evidence that detracts from their case and their predetermined decisions.

Patient A was also questioned about his alcohol use. On paperwork from Dr. Darryl George’s office, Patient A had written personally that he drank 6 plus beers a day. Yet on the witness stand Patient A stated that he drank only 2, but rarely maybe up to 6 beers, a day. Personally, Patient A looked as if he drank a case of beer a day. Patient A looks like an alcoholic and probably is. What galls me the most though is the fact that the OMB and Dr. Calvert had a problem with a patient chart they reviewed from Voter Power where one patient had MS. The patient had stopped any cocaine use 20 years prior to seeing me at the Voter Power clinic and had stopped all alcohol use three years ago secondary to the MS. The OMB had problems with me signing the Physician Statement for the MS patient because of their previous use of cocaine and alcohol, but no concerns regarding Patient A drinking “6 plus beers a day” at the time he received a signature on his OMMP Physician Statement. If Patient A really did have gout, beer is one of the worst things for him to drink. Just stopping the consumption of beer can resolve gout. What gives? Not only is hearsay allowed at these hearings but so is perjury obviously. And so is less than competent medical care in Oregon. **Again, there is no mention of these “inconsistencies” in the ALJ’s report.**

ALJ Rick Barber did take the time to mention in his report that the woman at Voter Power who dealt with Patient A was “inconsistent” and “unconvincing” in regards to her telephone testimony at the hearing. All she did was tell her story of what happened that day. She discussed how Patient A was yelling and causing much commotion during their encounter. This occurred while she was trying to check the patient out of the clinic. She is also the woman who lodged the complaint with the OMB about Dr. Darryl George and his cocaine use that the OMB dismissed so nonchalantly.

ALJ Barber also took time to twice mention that I was being overly insistent about a physician’s name on the OMB. During the hearing I mentioned that one physician on the OMB’s Investigative Committee had recommended suspending the interrogation in 6/09 until I received the records (which they could have easily copied at the time). They asked his name and I stated that I thought it was St. Claire. I mumbled this a second time as those present tried to figure out themselves. It was soon found to be LeClaire. No big deal except to the ALJ. I asked Paul Loney, my lawyer, about this and he stated that what the ALJ wrote was nonsense regarding that event.

I was called a scofflaw by Mr. Foote during the hearing. This bullying was allowed by ALJ Barber. I wasn’t allowed to call anyone names. I was also called a “grossly incompetent” physician for three years by the OMB yet allowed to practice for all that time. Something is strange about that.

**I knew it was over for me as I watched ALJ Rick Barber and Assistant Attorney General Warren Foote walk into a private room alone after the hearing was over. Why wasn’t I allowed a private meeting with the ALJ? Wonder what was discussed there? It’s unfortunate that the leaders of this state allow that kind of unethical behavior.**

ALJ Rick Barber wrote a report after the hearing which made multiple recommendations but never mentioned revoking my license. But in February of 2011 my license was revoked by the OMB as they had predetermined years prior. They also fined me $20,000. I could have appealed the decision, but I was told by my lawyer that odds were not good that the appeals court would overturn it. So I decided why waste the time and money. A report produced by the OMB subsequently confirmed my lawyers statement to be fact. I decided to try to attack this problem in a different way. The State of Oregon now has one less ethical, compassionate and competent physician and one less taxpayer.

**Conclusions**

**The** **Oregon Medical Board (OMB) and the State of Oregon allows and condones the** **use of hearsay in physician’s hearings**. Physicians have no recourse to counter these hearsay statements because you and your legal council are not aware of the hearsay to be used in the hearing until it happens. Also, there is now way to cross examine someone regarding these hearsay statements.

**The OMB and Assistant Attorney General Warren Foote** **condone** **perjury** if it meets their needs at their hearings. If you’re on the Medical Board’s “team” you can lie about how many records you have. You can write down how much beer you drink a day at a physician’s office and three years later change that amount on the witness stand. You can lie about your interaction with a physician with no proof to substantiate your claims. The physician can turn around and show without a doubt that the patient is lying, but the OMB wants, sees, and hears none of that.

**The OMB and Mr. Warren Foote can** **falsely represent primary care physicians as experts in medical subspecialties** even though they obviously have no specialty or fellowship training in that field. In my case they used a Family Physician, Dr. James Calvert from Klamath Falls, as an expert in rheumatology. He’s allowed by the OMB, Mr. Foote and ALJ Barber to disagree with all major text books, world respected rheumatologists and web sites regarding the accepted evaluation and treatment of gout. I guess it’s acceptable to the OMB, the Oregon courts, the Governor’s office and the Oregon Attorney General’s office, for Dr. Calvert, a self purported “expert in gout”, not to be aware of the first new medication for the treatment of gout in 40 years! This new medication, Uloric, had already been on the market for 1 ½ years at the time of my hearing and had already been advertised on TV for some time! Dr. Calvert is not a trained rheumatologist hence he is not a specialist in the evaluation and treatment of gout. An expert would have known about Uloric before it was even approved by the FDA**. Dr. James Calvert and the OMB are frauds with absolute immunity for any wrongdoing.**

**The OMB and Warren Foote use physicians that they falsely state are “experts in chart review”.** In my case Dr. James Calvert was used. He showed himself to be incapable of reviewing even straight forward charts. I was accused for 3 years by the OMB of reviewing a patient’s chart incorrectly based upon their and Dr. Calvert’s cursory reviews of the same chart. There was extensive documentation of the patient’s MS in the their two plus inches of medical records. **Yet it wasn’t until just before closing arguments at my hearing that Mr. Foote acknowledged that my review of the records was correct and Dr. Calvert’s was wrong. No problem for Dr. Calvert and his ineptness – he works for the “OMB Team”! No problem for the OMB because they have no oversight and therefore are able to use their position of power however they like. You can screw up and lie as much as you like working for the OMB and no repercussions. They have absolute immunity.**

**The OMB can withhold records from you and your attorney as long as they want.** They can lie to you that records exist and never have to produce them. No matter how often you ask they either don’t respond and ignore your existence or lie to you about sending them. Or, like Mr. Warren Foote, one of our esteemed State Assistant Attorney Generals, just send you a letter **that states the OMB doesn’t have to give you any records or look into any situation that relates to your case that you request no matter how important. Mr. Warren Foote sent my lawyer and I a letter after a request for information that stated that he and the OMB had no obligation to provide any information that would help the case. Basically, Warren Foote said go to hell while he flipped us the finger.** Why wouldn’t the government want to do a thorough investigation? Oh, that’s right; it would break a long history of half assed politicized work by inept bureaucrats.

**The OMB can make a physician go to any program they want for evaluating whatever they want at your cost and time away from your practice and family.** They don’t have to give any reason as to why they are sending you. I was in correspondence with a physician who has had their license suspended for 4 plus years. The OMB had this physician jump through multiple hoops at this physician’s expense. The physician completed all programs and evaluations with flying colors that the OMB requested, yet this physician is still not allowed to go back to practice medicine. This is a result of an incompetent OMB and a vindictive Asst. Attorney General Warren Foote and Executive Director Kathleen Haley. They have wreaked havoc financially upon this physician and their family. The physician has been unable to work per the OMB’s decisions, yet has to pay for all these programs and evaluations themselves. Being that Kathleen Haley and Warren Foote are psychopaths in my opinion, it doesn’t bother them in the least. These two people, along with the incompetent physicians on the OMB, lack any empathy for the physicians they are supposed to oversee let alone the public they are entrusted to protect! You ask any physician who has had to interact with the OMB and they will all tell you how corrupt and abusive this Board and those involved with it are. The physicians I have spoken to are all afraid of the OMB and rightfully so. I spoke up and defended myself and I have paid the price. At least I didn’t waste money and time for years on all the demeaning evaluations and ass kissing that the OMB require. You still end up blacklisted forever.

**The OMB has no oversight.** I have contacted numerous Oregon politicians about this, yet only one has made any effort to look into the situation, let alone even write a response to my concerns. The OMB can break your confidentiality, lie, withhold records, use hearsay, conduct less than inadequate investigations, use imposters as experts, make any accusation they like, bully you, and the list goes on, without any repercussions. They know they can do it because their political overseers allow it and as far as I can see endorse it.

It’s okay for the Administrative Law Judge (ALJ), Mr. Barber to basically ignore all the facts and not mention anything in his report of the hearing regarding the OMB’s, Mr. Foote’s, Patient A’s and Dr. Calvert’s inconsistencies regarding testimony. It is okay in this state for the ALJ and the Assistant Attorney General to meet privately – *ex parte* contact - right after the two day hearing in a closed room. I stated at the beginning of this process that what you’d see would be a witch hunt, a kangaroo court and a hanging. I was dead on. Also, I didn’t expect much respect from ALJ Rick Barber regarding myself, my family, my patients, my dependents or community. It’s obvious from looking at him he doesn’t even respect himself or his health. If he doesn’t respect himself how can he respect others?

**The OMB hearings are not closed hearings although they are supposed to be.** The OMB allows any of their employees, and possibly non-employees, to be present at the closed hearing even though they have had nothing to do with the case. They also allow these individuals to interact with you on breaks. As I was urinating during a break, an individual by the name of Lanny Bennett, who had nothing to do with my case, asked me questions and made statements about my hearing while I was standing at the urinal. Turns out he was security and was shadowing me. The OMB can say what they want or ask what they want of you with no repercussions. **The OMB does sloppy and incompetent work.**

**It’s okay for the OMB, Kathleen Haley and Warren Foote to trample and circumvent Oregonian’s civil rights.** They don’t care how many times the voters ratify the use of cannabis for medicine. They are going to co-opt your civil rights because they disagree with medical cannabis. They persecute physicians that assist patients in obtaining a signature on a state form that states nothing more than that cannabis may be helpful for their medical condition. The OMB protects physicians and clinics that refuse to help these same patients. Patients involved with the Oregon Medical Marijuana Program (OMMP) are being abused by these physicians and institutions. They are being blacklisted making it difficult or impossible for patients once they are on this “list” to find a Primary Care Physician. Patients are being forced to sign contracts under duress. Some of these contracts allow the institution to turn the patient into the police if they test positive for medical cannabis**. The OMB has been trying to shut down your access to the OMMP. The Governors and State Attorney Generals have let them get away with it.**

It’s okay for the OMB to leave patients without a physician or medical care after they revoke a physician’s license. I saw the disenfranchised at my very low cost Family Practice office. Most patients I saw were without insurance or any way of getting it. I did home visits for agoraphobics and quadriplegic/neurologically impaired patients. My patients had cancer, opiate addiction, diabetes, hypertension, rheumatologic disorders, chronic infections, cardiac problems, psychiatric problems, etc. in addition to just day to day common Family Practice problems. Most of these folks had no access to reasonably priced medical care. In addition I had arrangements for lab work, pathology and radiological procedures at a 50+ percent discount for my patients. Many of these individuals were left without medical care or had to seek it at greatly increased costs.

My license was revoked in February 2011**. I reported Dr. Darryl George to the DEA here in Portland regarding his cocaine abuse and the OMB’s ignoring a complaint regarding it in April of 2011.** Here we are six years later and Dr. Darryl George, who seems to at one time to have been severely abusing cocaine (and may well still be) , is still practicing. It’s interesting that this guy is allowed to practice even with the DEA and OMB knowing of his cocaine abuse and having witnesses to substantiate his and his associate’s behaviors. Obviously, something more is going on, otherwise there is no way Dr. Darryl George is allowed to continue to practice. The cocaine abuse by Dr. Darryl George was occurring while he was under the “watchful eye” of the OMB. Dr. Darryl George was in trouble for inappropriate sexual behavior and was being “managed” by the OMB from 2002 to 2011. Yet he’s at a party coked out of his mind and masturbating in a hot tub in front of people at a party per the letter of complaint to the OMB (see on website). And this individual is considered a credible person by the OMB? I guess he gained favor with the OMB for getting rid of one of those “medical marijuana doctors”.

**Dr. James Calvert, the “expert” used against me by the OMB in my case was investigated by the OMB for his narcotic prescribing because of a complaint they received three weeks after my hearing.** The complaint allowed him to continue to give opiates acutely in the hospital, oversee OHSU residents prescribing opiates in the hospital and prescribe them to his opiate dependent patients, but he’s wasn’t allowed to prescribe to any new patients. That’s insane! He was quickly released to go back to practice after having killed at least one patient and almost killing at least one other patient because of giving toxic cocktails of medications, including pain meds, and diagnosing these patients with rheumatologic disorders that they didn’t have. The details of this, along with OMB documents are on the Home page under “OMB’s Investigation of Dr. James Calvert.”