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Dear Senator Elizabeth Steiner-Hayward,

You and Senator Bates spoke to the Oregon Medical Board (OMB) in October 2012. It took me 15 months to acquire a copy of the tape from that day so I could listen to your concerns and comments. Unfortunately, the OMB minutes from this **public** meeting, which should have detailed your conversations, were ridiculously absent of any information regarding what transpired. In fact, they relay no information as to why you and Senator Bates were there or what you discussed. What is included in the minutes of the October 2012 **public** meeting are defensive statements, without context, made by ignorant, uninformed, compartmentalized Board members who were put in place, and are fed just the “needed information”, to rubberstamp Ms. Kathleen Haley’s agenda. I have listened to, transcribed, and posted on YouTube (**search OMB October 2012**), the recording I have. I emailed you the transcription of this tape about 3 months ago. I am happy to resend it immediately upon your request.

I have several follow up questions for both you and Senator Bates. It was discussed at the October 2012 meeting that both of you could come and discuss with the OMB any physician case you felt merited concern. **Have either of you presented a physician case to the OMB since that meeting? Have either of you attended an OMB Investigative Committee meeting as the OMB has invited you to do?**

If you’re truly interested in how the OMB “functions”, you should attend **a physician “hearing”** and follow it through to its end result which is always license revocation. This is the administrative venue where the physician is stripped of any constitutional rights. This is where perjury, hearsay and fictional OMB “experts” are allowed by the Administrative Law Judge (ALJ), but are never documented in their reports. This is the venue where Due Process, Discovery, right to a jury, Equal Protection of the Law, etc. **do not exist**. Here your lawyer is of no help because they fear being targeted by the State Bar just because they had the audacity to stand up to the State and represent their client to the fullest extent. Be aware, the ALJ comes from a pool and they are not chosen randomly or in rotation. They are chosen by how well they “work” with the OMB. Also, be aware that it matters not one iota what the ALJ’s conclusion of the “hearing” is, because ultimately it is a core group within the OMB that makes the final decision. This core group then “spoon feeds” the majority of the physician and public members on the OMB the information they want them to have so that they may “rubber stamp” their final decision. This core group is presently made up of Executive Director Kathleen Haley, Medical Director Joseph Thaler, Assistant Attorney General Warren Foote and a few of the physician board members.

Also discussed at the OMB October 2012 **public** meeting was the Oregon Medical Association (OMA) PEER program which had ceased to exist for about two years at that time. **Has there been any work done to resurrect the OMA PEER program? If so, who has been involved with the reconstruction process of the PEER program? Have either of you been involved with the process? When will this program be available for public review? Will a review be available prior to the “new” PEER program being instituted?**

I am also including a recent mailing sent to multiple government officials. This letter documents **the increasingly violent behaviors** of security and investigative employees at the OMB. These behaviors seem to be condoned, and are most likely instigated, by the OMB administration. They seem aimed at causing fear and provoking situations, and are ultimately meant to exclude public members who have concerns regarding the OMB from even a glimpse of what is occurring there. This letter is also being emailed to all Oregon State Senators. I am hearing of similar behaviors by other Oregon State Boards, such as the Board of Psychology. I will encourage the citizen involved in this situation to contact you regarding their experiences.

I was disappointed Senator to hear you describe some of the physicians who had contacted you as “whiners” without, to my knowledge, having any idea of the intimate details surrounding their cases. I have contacted both you and Senator Bates on multiple occasions and never received any reply. I and others have reached out to both of you requesting a meeting. Again, no reply. Firstly, physicians are not “whining”, they are reaching out to one of the few resources they have available to attempt to stop the tyrannical, oppressive behavior of the OMB. Otherwise, they are alone. You are supposedly our public representatives. Instead of labeling and name calling us “whiners”, how about you sit down with us and look at the plethora of available factual material. It is downright rude not to respond to citizens who contact you and even ruder to categorize them with an offensive name. This is nothing more than bigoted, insulting behavior; something I would never have expected to have come out of a supposed liberal, compassionate Family Physician’s mouth. We may not live in your district, but you are both physicians. You have physicians and their families and patients in your district. As Senators you should have significant concerns regarding wrongdoing by unelected bureaucrats who feel no necessity to uphold Oregon citizen’s constitutional rights.

Second, the inaction of the State’s political representatives and bureaucracy to remedy the significant dysfunction of the OMB is having a considerable negative economic impact on this State. The OMB, along with the other State boards, is destroying individuals, their families and in the case of physicians, their patients, in a manner that is exceedingly unconstitutional. This translates into less tax revenue for the State. Dr. Bates stated that the oppressive behavior of the OMB is chasing physicians away from, and out of, Oregon. Therefore, a physician shortage exists in this state and again, less tax revenue. People don’t want to move to where they can’t find a physician, so again, less tax revenue.

To date, except for your October 2012 OMB interaction, the OMB’s extreme dysfunction seems to be of little concern to either of you. Don’t wait until it involves you, a family member or friend, because it will be too late then. There are now three cases in the Ninth Circuit Court of Appeals regarding the unconstitutional behavior of the OMB. There is now a case at the Oregon Circuit Court which will bypass the OMB’s unconstitutional “hearings” and move straight to the Federal venue if not adjudicated appropriately. Unfortunately, there is an immense amount of cronyism and nepotism within and between the Oregon judicial bureaucracy and the Oregon Department of Justice.

I and others eagerly await your responses. We would also appreciate meeting with both of you, and hopefully other elected officials, as soon as possible to discuss what is occurring at the OMB. It is clear that other Oregon State Senators, from their correspondence to me, consider you two to be the leaders regarding OMB concerns.

Sincerely,

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Eric A. Dover, M.D.