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## Sunset Testimony

1 message

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**Coleman Hemphill** <coleman@txhia.org>

Thu, Dec 8, 2016 at 11:33 PM

To: Texas Right to Know &lt;info@texasrighttoknow.com&gt;

My name is Coleman Hemphill from Brady, Texas, with Texas Right to Know, I am here to oppose the continuation of the Texas Medical Board in its current form, oppose Texas joining the licensing interstate compact, and recommend Sunset committee hearings every Interim year.

I want to start by asking this committee to review the number of investigations stemming from violations of the Standard of Care, or from False Misleading or Deceptive advertising that have been levied against doctors practicing under Title 22, part 9, chapter 200 of the Texas Administrative Code **STANDARDS FOR PHYSICIANS PRACTICING COMPLEMENTARY AND ALTERNATIVE MEDICINE**. I will refer to these doctors as CAM doctors. I want to also ask this committee to investigate how many CAM doctors have left the State, how many have given up their licenses, how many licenses were revoked, and the amount of money being spent outside the state by patients seeking complementary and alternative care.

Right now, complaints can be filed against doctors confidentially. Our doctors are being denied their 6<sup>th</sup> amendment right to know their accuser, leaving the door open for complaints to be filed by any individual or institution potentially motivated by their own self-interest. There are many cases where complaints have been filed by insurance companies or competing doctors and not by injured patients. These complaints are then reviewed by doctors not trained in complementary and alternative medicine because the TMB is made up of only conventional allopathic doctors. Frivolous litigation for violations of the Standard of Care or for False Misleading or Deceptive Advertising against CAM doctors, administered without any peer review is suppressing the ability of CAM doctors to provide safe quality healthcare, increasing cost, and ultimately harming patient's health. The stated mission of the TMB is "to protect and enhance the public's health, safety and welfare by establishing and maintaining standards of excellence used in regulating the practice of medicine and ensuring quality health care for the citizens of Texas. I purpose that frivolous litigation against CAM doctors is not working in the interest of the public but rather acting in contradiction of this mission.

My suggestion to committee is that only complaints originating from a patients or patient harm be eligible for review, that at least one third of the board be an actively practicing CAM doctor, or that a sub board be created with a similar structure to the existing acupuncture board to ensure that CAM doctors are being reviewed by their peers.

In 2015 Healthcare cost made up 28% of Federal spending and in Texas Health and Human Services spending now surpassed public and higher education making it the largest budget expenditure for the State. We need a system that allows our doctors based on their knowledge and experience to use all methods and modalities available to treat their patients. We need

innovation, and we demand freedom in our choice of healthcare and the doctors who we choose to administer our care.