

Testimony of Lee Spiller, Executive Director
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Regarding: Texas Medical Board

As stated in the Sunset Commission Staff Report- "In the world of healthcare professionals, the physician reigns supreme. No other healthcare practitioner has greater autonomy or authority over patient care than a physician. Consequently, no other healthcare discipline poses a greater risk to patient and public safety than the practice of medicine..."

The Citizens Commission on Human Rights was established in 1969 to investigate and expose psychiatric violations of human rights. This includes filing complaints on issues related to mental health treatment. Therefore we depend on the Texas Medical Board to properly and fairly evaluate patient complaints.

We are not certain, however, that TMB deserves that trust:

Just this week, internet media outlet, *BuzzFeed*, published a compelling article raising allegations of abusive, questionable, or potentially fraudulent behavior occurring in Universal Health Services psychiatric hospitals. Featured in the article is the case of Samantha Trimble, a patient who was treated in a UHS's Millwood psychiatric facility in Arlington and ultimately sued the facility for negligence and false imprisonment.¹

In further exploring the lawsuit, we found the defense had ostensibly paid for and retained, as its expert witness, Dr. Michael Arambula, who supplied an affidavit stating his opinions as to whether or not the hospital was negligent or grossly negligent and whether or not the psychiatrist involved acted under statutory authority.²

We could only find one Dr. Michael Arambula licensed in Texas. He is the President of the Texas Medical Board.

How can we depend on the Medical Board to fairly treat complaints against psychiatrists at this hospital or other UHS hospitals when the current President of the board is apparently an expert witness for the defense? In our view, this is a conflict of interest as broad as a barn.

Could Ms. Trimble or other patients be expected to file complaints with the Board? Yes.

In fact at least one other patient has.

Unfortunately, it's not the first time conflict of interest allegations have been raised concerning the Board.³

We could make a number of comments on staff recommendations, however this issue of integrity could render any attempt at reform meaningless. Therefore we will reserve further comment for the legislative process.

1 December 7, 2016, Rosalind Adams, *BuzzFeed*, Intake, A Buzzfeed News Investigation, https://www.buzzfeed.com/rosalindadams/intake?utm_term=.rwYajXgnVn#.hlbbYaLkJK

2 Case 4:14-cv-00868-O Document 112 Filed 09/12/16, US District Court for the Northern District of Texas, Order

3 2007 Press Release, Association of American Physicians and Surgeons, <http://www.aapsonline.org/newsoftheday/004>