

# Bill may open complaint files

SALEM (AP) — A bill to give the public greater access to disciplinary records involving doctors and others slid through the Oregon House on a 53-7 vote Wednesday.

The measure stems in part from a widely publicized case involving complaints by women that Portland gynecologist Dr. Phillip Alberts improperly touched them during exams.

Alberts is charged with 29 counts of sexual abuse against 18 patients. Some of the women said their complaints vanished under a veil of secrecy.

Supporters of HB2493 describe the current system as a hodgepodge, with some agencies making full disclosure of complaints against licensed professionals and some revealing next to nothing.

"We don't have any way of knowing what's going on" with some boards, said Rep. Del Parks, R-Klamath Falls. He sponsored the bill, which now goes to the Senate.

Parks said targets of complaints, as well as the general public, also have been unable to learn details of accusations.

When a Klamath Falls dentist finally obtained his from the state Board of Dentistry, Parks said, "there were more blackouts in it than printed words."

The bill "for the first time will set a standard for performance of professional licensing boards," he said. "The bill is not perfect but it is a marked improvement from what we have now."

The bill covers more than 40 regulatory agencies that license occupations such as plumbers, accountants, contractors and barbers.

The measure says complaints filed with the agencies are to be public records.

People filing complaints could ask to have their identities kept secret if they can provide a compelling reason to do so.

Boards would have to make public details of an investigation 120 days after receiving a complaint and could not withhold the information until investigations are completed.

The measure also would require that board disciplinary hearings be open meetings and that the records be available to the public. An exception would be that testimony by children under 12 could be kept confidential, a provision sought by those concerned about children's testimony in sexual abuse cases.

The bill would give immunity from civil damage lawsuits to people making good faith complaints to the boards.

# State has 50 complaints against Tualatin dentist

PORTLAND (AP) — The dentist with the most complaints on file in the state blames jealous competitors for his problems.

David E. Naisbitt of Tualatin, who limits his practice to the placement of dental implants, has received 50 complaints since he launched his practice in 1981.

Despite the number of complaints, the state Board of Dentistry has never taken any disciplinary action against him.

Naisbitt, a 51-year-old former Air Force pilot, claims the thousands of pages in his complaint file say more about cutthroat competition in dentistry than about the quality of his care.

He says his "one-stop-shopping" style of practice threatens conventional dental specialists who must send patients around to several offices and share fees for the procedure.

Naisbitt has done all the necessary procedures himself for more than 5,500 patients.

Naisbitt suspects that former patients who seek help from other dentists are encouraged to file complaints.

Thirteen complaints were filed by other dentists who accuse Naisbitt of misleading advertising, such as calling himself an "implantologist" when no such specialty is recognized by the American Dental Association.

Naisbitt, who is not a member of the ADA or the affiliated Oregon Dental Association, said through his attorney he does not claim to be a specialist but he has a First Amendment right to call himself an implantologist.

Some of Naisbitt's competitors are blunt in their opinions of Naisbitt.

"There is nobody who's hated more than him in the dental community," said Dr. Nadir M. Rassouli, a prosthodontist who heads Sylvan Implant and Reconstructive Dentistry. "They think of him as a scum."

Dr. John L. Krump, an oral surgeon who has seen a half-dozen of Naisbitt's former patients, said: "What they tell me is that they go back to see him with a problem and their concerns are not fulfilled, to the point where they refuse to go back."

In February, after news organizations began looking into Naisbitt's complaint file, the Board of Dentistry notified him that it would hold a contested case hearing in eight complaint cases.

The board also reopened 10 previously investigated complaints that had been closed, dating back to 1986.

# State revokes deadbeats' licenses

SALEM (AP) — The state of Oregon has notified 1,391 people owing \$3.4 million in child support that their licenses are subject to suspension.

Under a law that took effect last July, the state can suspend licenses of commercial truckers, landscapers, electricians, plumbers, commercial fishermen, construction contractors and real estate agents if they fall more than \$2,500 behind in child support.

To date, the Oregon Department of Justice has received payment agreements from 305 peo-

ple. They don't have to pay the entire amount that is delinquent all at once but can arrange with the state to set up a payment schedule.

The state has suspended 74 licenses, and another 582 people have been given notice that they face suspension unless they pay within 30 days. The state is attempting to contact the rest of the people with that ultimatum.

The license suspensions are handled administratively by the state Support Enforcement Division. A license suspension can

be appealed, though that does not put off the suspension indefinitely.

"A person can draw this out for several months, possibly, but that's all," says John Ellis, assistant administrator of the division.

Ellis said the new law provides the state with a valuable tool to use to go after people who refuse to pay.

"Many of these people are self-employed; we can't reach their wages by garnishment," he said. "So the license suspension is a last resort."

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