

## Letters to the Editor

Editor's note: Letters to the Editor must be signed. The Gazette-Times will not publish unsigned letters. Please include your address and phone number on all letters for use by the G-T office. The G-T reserves the right to edit.

### Dr. Burnham responds

To the Editor:

On Tuesday, 04 May I went to the office of Mrs. Sheila Dahlman, interim CEO of Morrow County Health District, as she had requested. The purpose of this meeting was the sixth month performance review which I had requested and which was now more than three months overdue. Present besides Mrs. Dahlman and me was Dr. Ken Wenberg, chief of the medical staff of Pioneer Memorial Hospital.

Mrs. Dahlman went right to work and announced that the next day, Wednesday, 05 May, she would make a written recommendation to the board of directors that my employment be terminated for cause. She presented me with her written performance evaluation of me. In that evaluation my performance was rated unsatisfactory in 10 of 11 areas and needing improvement in one. She then presented me with the letter she planned to submit to the board. The letter listed 15 charges against me. I was given no supporting documentation for any of these allegations.

Mrs. Dahlman then outlined her plans. If I did not accept her actions against me she would be required to report those actions to the Oregon Board of Examiners and to the National Practitioner Data Bank. She left unsaid that that would effectively end my medical career. She then offered me a deal. If I agreed to resign and say nothing and give up all rights to future action she would recommend to the board that they accept my resignation and pay me three months wages. I would not be reported to the Oregon licensing authorities or the National Practitioner Data Bank. Again she left unsaid that although I would walk away with no charges against me I could depend on it that there would be no future good employment recommendations going out in my favor. Also a stake in the heart of my medical career.

The meeting had begun at three in the afternoon and Mrs. Dahlman now informed me that I had until 8 o'clock the next morning to make my decision. If I had further questions she and her lawyers would be available to discuss the issues between two and six the next afternoon. Then at seven the done deal would be presented to the board. She indicated our business was over but did offer me the opportunity to work the rest of the afternoon. I declined.

I was able to speak to Dr. Wenberg privately shortly thereafter and I asked if he had been aware of this action beforehand. He said he had learned of it only the hour before. Wendy Haack, NP, also was taken by surprise. I am sure if either Dr. Wenberg or Ms. Haack had had significant concern about the quality of my practice they would have offered advice or assistance. I can't conceive of either of them seeing substandard performance and ignoring it. Neither had a single member of the nursing staff come to me with concerns about my patient care.

It was now near the end of the business day and, as Mrs. Dahlman well knew, it proved difficult to contact a lawyer, let alone a lawyer experienced in medical law. I was able to contact a specialist and very briefly discuss the situation with him that evening. Without any documentation in his hands and only what I could tell him over the phone, but most important, no time to work with, his advice was pragmatic. He recommended that unless I had \$50,000 to spend fighting the charges against me I should take the deal and get out of town.

That night my wife and I discussed our response. A major concern we both had was that if I accepted Mrs. Dahlman's deal, that would leave in the health district records Mrs. Dahlman's letter stating that I had lied on my employment application to the district, that I had falsified medical records, that I had been physically assaultive, that I had engaged in verbal and physical

intimidation, that I had been neglectful in my patient care, that I had threatened murder, that I had misdiagnosed cases, and on and on. I have made mistakes in diagnosis and in treatment, only one physician ever lived who didn't. The rest of her charges I deny categorically.

That night my wife and I decided to do whatever was necessary in the short-term to limit the damage done to my reputation so we could buy some time to fight back. The next morning I sought counsel from a number of people whose opinions I respect. I shortly received a phone call from the lawyer I had consulted. Mrs. Dahlman had called her lawyers and told them that Dr. Burnham was downtown bad mouthing her to the Chamber of Commerce and the deal was off. She planned to report me to the Oregon Board of Medical Examiners and the National Practitioner Data Bank. The lawyer said he might be able to negotiate something and prevent her report, I asked him to do his best. The deal he brought back was this: sign a letter admitting I had given cause for my termination, take the pay and vacation pay due me and in three months if I kept quiet I'd get one month's pay. My wife and I discussed it and agreed that, at that point, signing the agreement was the least harmful course for us.

That evening at the board meeting the board went immediately into executive session which I was invited to join. Mrs. Dahlman presented her recommendation and asked if I had signed the agreement which she had offered. I asked to address the board and was permitted to do so. I pointed out the terrible damage this action would do to the district. Once again a doctor would be leaving under mysterious circumstances. I pointed out the possibility of expensive litigation which the district could ill afford. I pointed out the likely further loss of public confidence in the district and the possibility of a firestorm of public protest if the action Mrs. Dahlman proposed was carried through. At that point I offered to the board to go back to the original offer and in return I would do everything I could to prevent the inevitable uproar if they went through with Mrs. Dahlman's plan. Mrs. Osmin, the chairperson, thanked me for my thoughts and asked me to leave the room.

The board spent more than an hour on the issue, no doubt with considerable input from Mrs. Dahlman and the two Portland lawyers she had flown out in a private jet to support her case. Mrs. Osmin asked me to return to the executive session and informed me my offer was rejected. The board asked me to sign the last agreement Mrs. Dahlman had offered me or I would be terminated for cause and I would therefore be reported to the Oregon Board of Medical Examiners and the National Practitioner Data Bank. To avoid that immediate report I signed the agreement and resignation. As I did so I offered one last time to go back to the previous agreement to avoid the inevitable public uproar. Mrs. Osmin said, "We'll take that chance" and they have.

The board went back into open session and my resignation was immediately announced. The announcement was just as quickly followed by a question from Mrs. Marlene Peterson, of Heppner, as to whether the agreement was obtained under duress. To preserve my position I said it had not been. Since then my wife and I have been gratified by the many kind words of support and concern

that have been offered to us.

Since then many friends and community members have suggested that I have grounds to challenge the agreement I signed as having been forced or coerced, done under duress. Additionally, I believe the whole process completely ignored my right to due process. I was, by my contract, due an employment review during the month following 31 January. That review somehow did not occur until 28 hours before the board meeting of 05 May 1999. I was given no warning or counseling by Mrs. Dahlman before 04 May. I was offered no avenue by Mrs. Dahlman to contest her evaluation or her recommendation to the board. I was given less than a pitiful amount of time, 28 hours, to seek legal counsel. And then the board accepted Mrs. Dahlman's version of the events without even the courtesy of allowing me to defend my position.

I had the right to prior notification, I had a right to a reasonable amount of time to prepare a defense and I had a right to a fair hearing. All of those rights were ignored. By denying me those rights I believe the board has, once again, placed itself and the Morrow County Health District in a dangerous position.

With this letter I renounce the agreement forced on me 04 and 05 May. I have no desire to bring legal action against the health district but I will not allow these charges against me to go unchallenged. I am not a liar. I have falsified no medical records. I have abused no one. I have offered verbal or physical intimidation to no one. I have neglected no patient. I have offered to murder no one.

My initial reactions in this situation were what every soldier learns, when you are under attack give away as little as you can and conserve as many options as you can for future use. The threat to take away my principal means of earning a living holds far less importance for me than being labelled a liar. I will defend myself against these charges vigorously and by any and every means available to me. These actions against me were meant to be silent and concealed. The people of Morrow County Health District can now make their own judgement of the charges and of the methods used against me.

(s) Clyde M Burnham, MD  
Heppner

### Baffled

To the Editor:

The people of Heppner have lost another competent doctor. How many times has this happened? We, the patients, are concerned about this. Why isn't the Morrow County Medical Board concerned? Do they want the revenue from our beautiful little town to go to the larger towns? Why are we not encouraged to give our local merchants, doctors and hospitals our business?

Dr. Clyde Burnham, a doctor we have confidence and trust in, was asked to resign. We have not been given an explanation for this. Wouldn't you think everything possible would have been done to keep a doctor in town who has concern for his patients and one in whom the patients have confidence?

(s) Marlin and Ruth Donohoe  
Heppner

### Seeking school friend

To the Editor:

I was hoping that perhaps you could help me locate a school friend, with whom I somehow lost contact over the years. Her name is Paula Palmer-Hickey, the daughter of Shirley and Roger Palmer. We graduated from Heppner High School in 1981.

My e-mail address is: [Kranzpiller@t-online.de](mailto:Kranzpiller@t-online.de) I would greatly appreciate any information provided.

(s) Susan Johnson-Kranzpiller  
Germersheim, Germany

## Counselors make Tupper experience a positive one

To the Editor:

In the recent weeks, we have been bombarded with news about troubled teens, kids killing each other and themselves to the point it makes you wonder what this world is coming to. Fortunately for our community we don't have to look very hard to find some of the greatest kids any community could ask for.

Last week was Tupper Outdoor School for the sixth graders from Heppner and Ione. I have been fortunate to experience Tupper as a sixth grade camper, a counselor my junior year of high school and as a parent helper in 1996. I think the Tupper experience is one of the most informative, hands-on, positive learning environments our children will ever experience. Not only is it a chance for the kids to have outdoor classrooms, for some it is their first taste of camping or being away from their parents. It is a time for them to learn about and rely on themselves. I know my memories from Tupper are some of the most cherished memories I have.

This year my sixth grade daughter had the chance to find out how special Tupper is for herself. Not only do the sixth graders

obtain knowledge from the outstanding job their teachers, Mrs. Allen, Mrs. Smith-Griffin, Mr. Robinson, Mr. Ewing, Mrs. Gibbs and Mrs. Orwick do, there is another group of people who contribute to the success of the Outdoor School Program. The group I am speaking of would be the high school kids who attend the Outdoor School as counselors. These kids are from Heppner and Ione high schools. They donate their time to attend classes to prepare themselves on the do's and don'ts of being responsible counselors. Being a counselor is an honor and one the kids have to earn. Another benefit this offers both the campers and the counselors is the chance to build lasting friendships with the kids from Ione. This year's group did an outstanding job with the sixth graders. They

have given this year's sixth graders positive role models to look up to, friendships and happy memories to last a lifetime.

In a world where we tend to hear only the bad, it is nice to know that we have kids like Nikki McElligott, Niki Sullivan, Angela Munkers, Laurie Michael, Macy Rhea, Ashley Ropp, Trisha Adams, Jessica Maben, Julie Watkins, Amy Drake, Bobbie Rankin, David Bates, Mark McElligott, Tim Dickenson, Jake Roy, Jacob Neiffer and Blas Elguezabal who are great kids and are doing their best to make our community a better place and one we can all be proud of. They have passed on the Tupper Outdoor School experience to the next generation of counselors in a positive way.

Former Spotted Fawn  
(s) Kaedene Bailey  
Heppner

## Had it with the tobacco industry

To the Editor:

The March jury trial verdict in Oregon against "Big Tobacco" reveals a fundamental truth. The truth is that everyday people serving on juries have had it with the tobacco industry's record of deception and coverup.

Philip Morris tried to use an eight-year limit in Oregon law as a loophole during the March trial. The tobacco company said it was only responsible for cancer caused by cigarettes

purchased and smoked in the last eight years.

"Big Tobacco's" strategy is clear. It will use any loophole it can to escape responsibility for the thousands of people killed each year by cigarettes. The Oregon Legislature has before it a bill (HB 3430) to close this loophole for tobacco products. We should all urge our legislators to support this change.

(s) Steve Hill  
Pendleton

## Holly Rebekah Lodge meets

By Delpha Jones

Holly Rebekah Lodge met on Thursday evening for the regular meeting with the Noble Grand Marlene Gray presiding.

Reports were heard concerning ill members and friends. Virginia Peck, a member, has returned home from major surgery in Bend.

Plans for the next two months'

meetings were discussed. The Thursday, May 20, meeting will start at 6:30 p.m. with a Mexican dinner. The main dish will be provided by the hostesses Marlene Gray and LaRae Kindle, with members bringing snacks.

The Thursday June 17 meeting is a planned potluck at the Friendship Park.

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**Pioneer Memorial Clinic**  
will be closed Friday, May 28th  
and Monday, May 31st  
in observance of  
**Memorial Day.**  
*Have a safe and happy holiday.*