

Chairman Balyeat and members of the Business, Labor, and Economic Affairs Committee:

I am writing in opposition to SB 287, The Consumer Health Freedom and Access to Health Care Services Act."

As a licensed physical therapist in the state of Montana, I support the concept of "freedom of choice" as individuals access health care services. The title of this bill is a misnomer. It does not seek to allow patients access to healthcare. Its purpose is to allow any practitioner, with no specified training or education, to do virtually anything they would like, and call it health care, without sanction.

The purpose of state licensure laws is to protect the public. This bill would virtually eliminate that protection. I believe it is a product of the American Association for Health Freedom (<http://www.healthfreedom.net>), a national organization of non-traditional practitioners, including natural, integrative, alternative and complementary medicine practitioners. The stated purpose of this organization is "Protecting the right of the Consumer to choose and the Practitioner to Practice". The organizations "plan for change" includes:

1. Changing laws on both the state and federal levels that govern health care practice, and availability of treatments and products
2. Where appropriate, filing lawsuits challenging the existing laws.

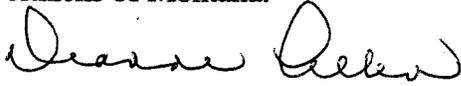
Protection of the public as they seek these non-traditional services is not mentioned and does not appear to be a concern of this organization.

To say that the UNDEFINED, unlicensed health care services "pose no significant risk to public health, safety, or welfare" is egregious. Is there no significant risk in any health care practice? How can it be stated that there is no significant risk when the only practices this bill exempts these unlicensed health care practitioners from doing are performing surgery, x-rays, and chiropractic adjustment, or prescribing medication and x-rays.

If a licensed practitioner should have the unfortunate experience of having caused an injury to a patient in the course of their treatment they are held to the standard of practice of that profession. If there is no definition of these "unlicensed health care services" provided by the unlicensed practitioners, how can they be held to a standard? What is "reasonable care" and what should they have known?

SB 287 is extremely vague and will only result in the consumer being misled by those who would like to take on the appearance of medical professionals while having limited or no formal training or regulatory oversight. With a simple disclosure form, an individual could provide the majority of professional services regulated under Title 37 of the Montana Code.

Thank you very much for your interest in my views and for your service on behalf of the citizens of Montana.

A handwritten signature in cursive script, appearing to read "Dianne Allen".

Dianne Allen, PT