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Chairman Louser, and Representatives of the Industry, Business and Labor Committee:

Hello my name is Dr. Kevin Paape, a chiropractor of 22 years practicing in Fargo ND. I am the owner of Healing Arts Chiropractic, PC in which we have three locations, Fargo, West Fargo, and Wahpeton. Along with myself, there are 5 chiropractors that work within our company. I am writing in opposition to HB 1105.

There are many different reasons as to why this is a bill you should not support, here are a couple:

1. This is a blatant attempt to work around open meeting laws. By allowing the chiropractic board the ability to work in executive session, this does not allow the public to hear and understand the thought process and the decision making they are choosing with regards to the matters that are being addressed.
2. There has been discussion that this is being put in place to improve upon HIPAA. HIPAA is already a federal law and is already in place to protect patient information. If a patient were to file a complaint, the formal complaint file is not public record, therefore as long as during discussion of the case the board does not release the patient's name, HIPAA wouldn't be an issue. This is an excuse to be able to hide behind closed doors.
3. If this were to be passed, it would start the process for any board, (medical, dental, PT, and others that aren't tied to medical like realtors etc.) to enact the same closed-door meetings and limit the due process for its members of what the board of examiners is meant to serve and protect.
4. My biggest complaint as to why this should not be passed is that it blocks chiropractors from being present for discussions concerning their license. This is a direct conflict to due process. How is it fair for someone to file a complaint against someone, but the person has no ability to hear the discussion of their case, and provide their side of the story.

As someone who has had a complaint filed against them, I cannot imagine not being able to tell my side of the story and explain the situation. As it turned out from my case, because I was present during the discussion of the case, I was able to shed some insight and defend my actions, to which the board then changed part of their recommendations. This would not have taken place had I not been able to be present. This is our life and our livelihood. I had some difficult days prior to that meeting day, and it would have been worse to have it drug out over multiple meetings. Passing this bill is a reduction in personal freedom. It is my personal opinion that this requested legislation is being brought forth as a result of the Board of Examiners being found to be in violation of open meeting laws by the North Dakota Supreme Court. Rather than admit their errors and proceed with transparency, they prefer to

continue along their path and have chosen to change the law to their will instead. I strongly encourage you to give HB 1105 a Do Not Pass recommendation.

Thank you for your time and consideration.

A handwritten signature in blue ink, appearing to read "K. Paape". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Dr. Kevin Paape