

Testimony in Support of Bill #1465 (Freedom of Patient Choice)

We are two practicing orthopedic surgeons from Grand Forks. We are both originally from Grand Forks, and practice a Valley Bone & Joint Clinic, an independent musculoskeletal clinic in Grand Forks with nine providers. Eight of us are originally from North Dakota and six of us originally from Grand Forks. As such, we represent physicians returning to their home state and currently successfully practicing independently from any large health systems, which are so very dominant and pervasive in our state. We have honed our surgical and medical skills in practice, but find it paramount to be adroit with the business of medicine and the politics of practicing in the Red River Valley with large health care systems.

We practice in the very dark shadow of two large monopolistic health systems, which control the flow and referrals of many patients in the Red River Valley. We are successful in our practices not only because of our reputations, but very importantly in the ability of patients to schedule their own appointments and see us directly through request and self-referral. That “patient choice” environment is becoming increasingly eroded via insurance and other payment methods which form networks of exclusive providers and the *de facto* exclusion of other practitioners. This exclusion is not merit based, but solely based on business or insurance contracts. Worse yet, many patients enrolled in such insurance products, are unaware of the existence of these networks, and their lack of freedom to choose their preferred doctor, and never consider these issues, until they are sick or injured.

We have many examples of situations pertaining to friends and acquaintances who desire to see us for care but are denied due to insurance constraints. They are frequently surprised when we inform them of this when they try to schedule an appointment.

Bill 1465 seeks to “level the playing field” and address a person’s ability to choose whom they see for their medical care. We recognize the legitimate right of providers, hospitals, and health systems to refer patients where and to whom they desire, but categorically object to the denial of a patient’s request to see anyone else of their choice. More strongly, we would like to eliminate the “systemic legitimization” of this practice via insurance and other business contracts. We contend that if a medical practitioner has proper credentials, training, and licensure in the State of North Dakota, then a patient should have the freedom to see their professional of choice.

We also acknowledge some exceptions to this proposed policy, namely the right of employers to control health care decisions of their employees covered under private employer financed insurance plans.

We strongly urge consideration for and a “yes” passage vote for bill 1465 to help maintain a healthy independent medical practice environment in North Dakota.

PATIENTS SHOULD HAVE THE RIGHT TO CHOOSE!
It is no more complicated than that.

Robert Clayburgh, MD
David Schall, MD
Valley Bone & Joint Clinic
Grand Forks, North Dakota