

September 14, 2007

Dear Patients:

This letter is being sent to you so that we may provide information about a potential serious threat to your choice of medical care. To put it bluntly, there is currently an organized nationwide effort to destroy the specialty of Environmental Medicine and to eliminate from practice physicians who diagnose and treat patients suffering from chemical sensitivities.

Since October of 2005 the Texas Medical Board has been investigating me on charges of providing substandard care and "endangering public health". An anonymous third party complaint was made to the board against me, citing five specific patients as being mistreated. You may ask "What is an anonymous third party complaint?" This type of complaint is made to the board **without the knowledge or consent** of the patient. The complaint against me was almost certainly made by United Health Care/Oxford. All five patients cited in the complaint had no knowledge that they or their information was being used in this way. Further, none of the patients are alleging mistreatment or malpractice against me and all five are still under my care. Additionally, these patients have all written to the Texas Medical Board and informed them that they are not part of this complaint and they are not making any allegations against me of any kind. Two of the patients have stated that I saved their lives.

The Texas Medical Board has dismissed the protests of these patients and continued to pursue charges against me. Further, the board refuses to officially reveal who made the complaint, what I am alleged to have done, or what evidence was presented against me. They continually maintain that this information is protected and does not have to be revealed.

However, we are almost certain that United Health Care/Oxford is behind the complaint. All five patients were from Manhattan (New York City), New York and all had the same insurance company - United Health Care/Oxford. As you know, our clinic does not take insurance assignment, so all patients file claims directly with their respective insurance companies. We therefore do not have any direct connection with this insurance company. We deny that we have ever defrauded anyone, including this insurance carrier. Evidence showing these facts was supplied to the Texas Medical Board, but was apparently disregarded as they have decided to pursue the charges despite the evidence.

The board has conducted a so-called peer review of the five patient's medical records and the treatment they received, again without the permission of these patients. A peer review of a physician's action can be undertaken for a variety of reasons but there is always on common

factor in the process. That common factor is that the reviewer is required to be knowledgeable about and a practitioner of the specialty that is being reviewed. Thus, the reviewer is a "peer" of the physician being reviewed.

In my case the Texas Medical Board chose a reviewer who does not specialize in Environmental Medicine, and who is in fact an allergist. This reviewer, who was anonymous, gave a negative review of the treatment of the five patients, despite the fact that all have improved, several of them substantially so, while under my care. I had 17 actual peers, physicians who practice Environmental Medicine, review all five of these cases as well. To a person these 17 reviewers found that my treatment of these patients was not only adequate, but that it met or exceeded the standard of care for treatment in our specialty. Further, the reviewers also noted that the state board reviewer was unformed about the specialty of Environmental Medicine, clearly did not understand the complex nature of the diagnosis and treatment of patients who suffer from chemical sensitivities, grossly misunderstood many of the facts in the medical records, was antagonistic and biased against the specialty of Environmental Medicine, and was clearly unqualified to conduct such a review due to lack of experience, knowledge, and expressed biases. The board has chosen to dismiss the review done by 17 actual peers and has chosen to support the conclusion of their one unqualified reviewer.

Based on secret evidence provided by an anonymous accuser and supported by an anonymous reviewer the board has recommended that my license to practice medicine be revoked. Currently, the Texas Medical Board is one of the most difficult for physicians to deal with in the entire country. It is particularly noted for not treating physicians fairly and denying their basic constitutional rights. Pleased be assured that I still have my license, that I am fighting the charges, that the Environmental Health Center is still open, and we are still seeing patients.

Unfortunately, my case is not unique. Recently across the United States there has been an organized attempt to deprive citizens of their choice in individual health care by attempting to have the licenses of doctors who are deemed to practice "alternative" medicine revoked. This campaign has been going on for at least 10 years now and is being led primarily by health insurance companies. These efforts are also being supported by a small group of individuals (and other groups) working for or associated with the National Council Against Health Fraud in Allentown, Pennsylvania.

The typical pattern in these attacks is to single out physicians they do not like and file anonymous complaints against them with different state medical boards. For example, over the past 10 years the number of physicians who are willing to diagnose and treat Lyme Disease has dropped sharply, while cases of Lyme disease have skyrocketed. This is because several health insurance companies have systematically targeted the doctors who specialized in treating that illness. Many of these physicians have had complaints made against them in exactly the same manner that they have been made against me. These same types of complaints have been made against doctors who treat patients for chemical sensitivities, mold exposure, for Gulf War Syndrome, and now possibly against physicians who are treating patients who were injured in the 911 tragedy.

You may ask why this campaign is taking place. It appears that quite simply the health insurance companies want to be the sole arbiter of what types of treatments are available to patients, and thus what they will be required to pay for. They clearly do not want new diagnoses and treatments established because they will then have to pay for these. Finally, many of us who have been turned in to state medical boards do not take insurance assignment. We do this so that we can provide treatment to our patients without insurance company interference. In recent years the health insurance carriers have tried to automate their claims processing processes. When claims are denied, they then have to be handled by a human and this costs money. When physicians do not accept insurance assignment, the claims submitted by their patients often have a higher denial rate. This results in higher processing costs for the insurance companies. If these carriers can eliminate the independent physicians with higher denial rates they can potentially save a lot of money. Certain state medical boards appear to agree with this strategy and cooperate in the process.

Of course, these attempts are also being made in order to try and standardize treatments and make all patients fit into one "box". Americans need more choices in health care, not less. We would hope you, as an informed citizen, would want to be part of an effort to help preserve freedom of choice in health care. Insurance carriers and a small group of "Quack busters" should not be allowed to decide what type of health care is available in this country.

It is unconscionable that the Texas Medical Board would want to limit freedom of choice in health care, and allow insurance carriers to interfere with the doctor-patient relationship. Please join our effort for freedom of choice in health care and write your protest to your members of the Texas Legislature. You can also copy your protest to members of the Texas Medical Board. If you do not know who your representatives are, go to the following website to find out:

<http://www.fyi.legis.state.tx.us/>

If you are out of state, you can contact Texas State Senator Jane Nelson and Representative Fred Brown, both of whom have taken an interest in recent activities of the Texas Medical Board. You can also send your letters of protest to the Executive Director of the Texas Medical Board, Donald Patrick, M.D., J.D., by e-mail, phone, or fax. Please petition the elected officials to:

1. Support the dismissal of the anonymous complaint made against Dr. Rea, or at the very least the revelation of who made the complaint and what evidence was presented against him.
2. Prohibit the Texas Medical Board from conducting anonymous peer reviews by unqualified reviewers, or using reviewers with a bias or conflict of interest.
3. Prohibit the Texas Medical Board from accepting and pursuing complaints in such a way that they deprive physicians of their constitutional rights and their ability to defend themselves.
4. Strongly oppose the anonymity given to billion dollar insurance companies when making state board complaints against physicians.

5. Urge the Texas Legislature to hold hearings on the Texas Medical Board and their seeming cooperation with health insurance companies' attempts to de-license physicians in specialties that they do not like and the board's denial of due process to accused physicians in direct contradiction to the due process that the board claims that it provides.

Thank you very much for your help. Together, we can stop the Texas Medical Board and other state medical boards from unfairly targeting physicians that outside interests do not like. We can also expose the despicable tactics of the insurance companies in their efforts to control all aspects of healthcare.

Sincerely,

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