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9/9/11

To  
Honorable Governor Brown  
Sacramento  
California  
Subj : Request for withholding approval for AB 655

Honorable Governor,

I am a practicing licensed surgeon in California  
I am requesting you to kindly exercise independent judgments on the merits of Bill AB 655 approved by the assembly. I had written letter to Hon Assembly member Ms Hayashi sponsor of the bill. The letters of opposition must have been included in the legislative history.

I do not disagree with the intent of the bill that there needs to be proper communications between peer review bodies to improve the safety of people of California. However a bill which has serious flaws will not contribute to the public safety and will lead to unneeded law suits in future which will further burden the court system.

During the course of past few years court cases have demonstrated that B&P 809 needs further improvement to prevent its abuse. The extensive immunity provisions protecting the peer review have been abused by some institutions to take disciplinary actions under 809 against physicians for causes other than improvement of care as proved by court judgments.

These actions have been reversed after prolonged contentious disputes in legal system extending over several years. There are also unreported cases where the physicians have decided not to contest because of the expense and time commitments.

As such the AB 655 as formulated at present gives unbridled discretion to the offending health care agencies without adequate safeguards to carry on vindictive actions against contesting physician without improving the care to public.

I am enclosing the original letter to Ms Hayashi listing the reasons for objection to bill

 Yours sincerely  
M.D.  
Sd Dr R.V.Rao

Encl: Letter to Hon Ms Hayashi