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**To:** Honorable Assemblywoman Hayashi  
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**Date & Time:** 8/5/2011 1:08:15 PM  
**Pages:** 2  
**Re:** OPPOSE AB 655 In Current Form, Could Support w/Small Edit

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See attached one page letter

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*Mrs. Sharon Kramer  
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August 5, 2011

California Assembly Member Ms Mary HAYASHI  
18<sup>th</sup> Assembly District, Chair of Assembly Committee  
on Business, Professions and Consumer Protections  
DELIVERED By Fascimile To: (916) 319 3306

Re: **Oppose of AB 655 in its current form Please include this letter in legislative history AB 655.**

Honorable Assemblymember Hayashi,

As a citizen of California I am concerned that AB 655 in its current form will have a major adverse impact on the health care of every Californian. AB 655 is a bill with the obviously admirable goal of protecting patients from incompetent and/or unethical physicians. However, AB 655 needs to be reworded to protect the competent, ethical doctor who finds him/herself falsely accused of wrong doing or incompetence. This rewording is required so ethical, competent physicians are able to provide the best possible medical care for all patients without fear of retribution should they challenge hospital policy that is adverse to patients' and public's best interest.

The way AB 655 is currently written, there is no safeguard that precludes a hospital from retaliating by circulating unfounded, defamatory, and malicious allegations without a challenging/whistle blower physician's knowledge. The way AB 655 is currently written, it could aid to ruin an honest physician's career; while aiding fraud and abuse in hospital policy to flourish. The way AB 655 is currently written it could aid to cause the exact same wrong that it sets out to correct.

In these challenging times of spiraling health care costs and a down economy, California's health care system has many problems. AB 655 section (e) exacerbates the "CODE of SILENCE " that may aid the spiraling cost while aiding to provide patients with worse health care – not better. Section (e)(1)(2) states:

*e) The responding peer review body is not obligated to produce the relevant peer review information pursuant to this section unless both of the following conditions are met: (1) The licentiate provides a release, as described in subdivision (2), that is acceptable to the responding peer review body.*

To correct the problem is simple. AB655 MUST to be amended to include the following:

***“e) The responding peer review body is ~~not obligated to~~ may not produce the relevant peer review information pursuant to this section unless the following conditions are met: (1) The responding peer review body must first provide the relevant peer review to the licentiate for perusal and evidenced correction (2) The licentiate provides a release, as described in subdivision (2), that is acceptable to the responding peer review body.***

Thank you for your efforts and dedication to improving health care for all Californians and thank you in advance for this small change in AB 655 with colossal positive impact for the health and safety of thousands.

Respectfully submitted,

*Sharon Kramer*

Mrs. Sharon Kramer