



About Texas Medical Freedom

Texas Medical Freedom is an initiative of Texas Right To Know. Texas Right To Know (TRTK) is a coalition of various advocacy groups with services designed to inform and connect people in the community regarding local and state issues that affect their basic essentials of life. The [Texas Medical Freedom](#) website details its mission to expose to the public examples where the Texas Medical Board (TMB) is exerting sanctions against licensed medical practitioners (MD / DO etc.) who practice under [Title 22 Part 9 Chapter 200 of the Texas Administrative Code](#) - Standards for Physicians Practicing Complementary and Alternative Medicine and unlicensed practitioners (ND, CCN, etc.).

The Texas Medical Initiative stems from the reports of numerous licensed and unlicensed practitioners from around the state that find themselves the subject of investigation by the Texas Medical Board under questionable cause. In November 2, 2016, Texas Medical Board's [Sunset Staff Committee Report](#), stated, "*Sunset staff did not detect any obvious indications of bias in favor or against any type of practitioner.*" This assessment is troubling in the light of significant investigations that have targeted alternative and complimentary practitioners.

Your Health, Your Choice

As you know, government at every level is trying to control what health options you have available to you. From the advice and treatments your doctors are allowed to offer you, to GMO food labeling and fluoride in your water, everything is tightly regulated. Government agencies do this under the guise of public safety, but in reality they are protecting drug, chemical, insurance and hospital interests and the medical establishment status quo.

This behavior is antitrust and has been pointed out in two recent court cases where the Texas Medical Board and the North Carolina Medical Board lost antitrust lawsuits. The US attorney general has advised medical boards across the country that there should be more non-physicians on medical boards. Currently doctors on these boards dominate and vote to protect their own self-enrichment creating a conflict of interest to their core principle to protect the public. The time has come for consumers to have a larger voice.

Despite the scientific proof that many less toxic treatments are effective, state medical boards in collusion with the FDA and law enforcement are preventing the advancement of medicine and your ability to decide and access the care of your choosing. This political structure ***using your tax dollars*** obstructs your access of health care choice. They do this by attacking progressive health practitioners of every discipline. They attack all that believe in fewer drugs and surgery and cleaner food and environment.



You have a chance to make a difference!

Every ten to fifteen years, the public has an opportunity to make their voice heard. This is done through a process called Sunset. The Texas Medical Board is an agency that has been hostile to integrative, naturopathic and chiropractic practitioners for a very long time. There will be a Sunset Committee Hearing at the State Capitol in Austin on December 8th and 9th with public testimony available beginning at 9:00 am, but could take all day. **You have the Constitutional right to come to the state capitol and voice your concerns.**

What does this mean to you?

If you are concerned with the fact that licensed (MD, DO etc.) practitioners and unlicensed practitioners (ND, CCN, etc.) are afraid to offer you more natural, integrative and nutritional health options, then you need to ***show up and speak up or you will find yourself without practitioners to offer these treatments to you and your family.*** The opportunity to reform an abusive government agency only comes around ***every 10 to 15 years.*** Your participation in the political process is essential to maintaining control over your health decisions and creating a climate in which doctors and practitioners feel safe. The system will only change if you take action to show the Sunset Committee and legislators that ***you are paying attention.***

We are asking patients, clients, and health care professionals to make their concerns known, to tell their stories of harassment or abuse and to share information about this event with their friends, practitioners and other patients who may have their own stories to tell.

Visit <http://www.texasrighttoknow.com/texas-medical-freedom> to submit your written testimony, your “TMB Don’t Mess With Me” photo and audio or video testimony.

TMB DON’T MESS WITH ME Campaign Message:

We must point out to the Sunset Committee that the current Texas Medical Practice Act already allows the right to complementary and alternative health care as outlined in [Title 22 Part 9, Chapter 200 of the Texas Administrative Code](#), enacted in 1997. (This is the rule drafted by the Texas Medical Board itself which has the effect of statute.) We are demanding now that the Texas Medical Board obey the law.

According to many practitioners who have been subject to unmerited investigations by the TMB, the TMB routinely ignores and misapplies their own rules. The TMB is charged to protect and enhance the public's health, safety and welfare. We must restructure the current board so that consumers' and patients' rights are given top priority. We must reshape the licensure and disciplinary process to stop the harassment of our integrative health care practitioners and instead



allow for transparency of board actions, accountability of governance, fiscal responsibility; and we must step into the future of medicine rather than keeping Texas in the dark ages by protecting the status quo.

Our Texas Medical Freedom Demands:

1. Due to the fact that medical boards in Texas and North Carolina have recently lost antitrust lawsuit cases, we want a majority of the members on the board to be lay people and licensed and unlicensed practitioner board members to have training in and be actively practicing in integrative, complementary and alternative health care in Texas. This will provide for competent and fair evaluations in practitioner investigations conducted by the TMB. Currently, although Chapter 200 referenced above provides for this, the TMB has not been following its own rules. They have usurped the US and Texas Constitutions which already provide these freedoms. The TMB has been called a rogue agency by the 15,000 strong Texas Nurse Practitioners in an Amicus Brief they filed in the [Teladoc vs. Texas Medical Board](#) case.

What they said:

*“Texas ranks 47th in primary care physicians per capita. It would require 13,000 additional physicians just to bring Texas up to the national average. TMB’s rule prohibiting telemedicine would add to the significant burden of nurse practitioners providing care for underserved areas. The TMB’s rules decrease quality, reduce innovation, raise costs and harm consumers. **The TMB’s rogue, biased behavior in passing this rule was only in service of self-interested actors who are unwilling to compete, and does not warrant protection from antitrust scrutiny.**”*

2. Texans deserve for their practitioners to be able keep patient medical records private and confidential and should not be released to TMB without patient consent or a court order.
3. Texas licensed and unlicensed practitioner deserve fairness, due process and the right to face their accuser.
4. TMB investigations should only occur with patient complaint or court order.
5. Texas Medical Board has a history of attempting to circumvent the rights protected by the US and Texas Constitutions. This must stop.
6. The board must be Sunsetting and the investigation and settlement process replaced with a model such as they have in Indiana to settle lawsuits. Each side appoints a doctor to be a peer reviewer. Then the two selected doctors agree on a third reviewer. This allows for selection of people that are actually acquainted with the type of practice they are judging.



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TEXAS MEDICAL FREEDOM



Protecting Your Health Decisions

Currently, there are no integrative practitioners used in the review panels and the Reviewers names are kept secret.

7. The new board, whatever form it takes, should have an additional level of oversight by a consumer-based group. Waiting 12 to 14 years for this type of oversight through Sunset is unacceptable and a grave danger to the availability of good medicine.
8. And last but not least, the executive director of the medical board should NOT be a lawyer. Lawyers' training is adversarial in nature; this costs taxpayers and licensees far more money than if the process was less formal and more collegial. This is one way the state can save money on enforcement and end up with better consumer protections and better cost containment through more competition.

Because of these and other egregious actions of the TMB, we are calling for the agency to be reformed and a new board to be established that respects our 4th Amendment right to privacy regarding patients' records, patients' right to choose alternative and complementary care as outlined in [Title 22 Part 9, Chapter 200 of the Texas Administrative Code](#).

The Sunset Commission needs to hear from you on December 8th and 9th!

Join Us for the “TMB Don’t Mess With Me” Lobby Day on December 9th

TMB Sunset Hearing, December 9th, 9:00 AM Room E1.030 in the State Capitol

Parking available at 1201 San Jacinto St.

[Click here](#) for more Capitol information

Visit <http://www.texasrighttoknow.com/texas-medical-freedom> for updates regarding the “TMB Don’t Mess With Me” Event.

United in Truth,

Sheila Hemphill
CEO, Texas Right To Know
325.226.3683