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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
 DISTRICT OF OREGON

EAST PORTLAND IMAGING CENTER,  
 P.C., an Oregon professional  
 corporation doing business as  
 EPIC IMAGING-EAST; and BODY  
 IMAGING, P.C., an Oregon  
 professional corporation doing  
 business as BODY IMAGING  
 RADIOLOGY,  
 Plaintiffs,

v.

PROVIDENCE HEALTH SYSTEM-OREGON,  
 an Oregon nonprofit corporation;  
 PROVIDENCE HEALTH PLAN, an Oregon  
 nonprofit corporation; PORTLAND  
 MEDICAL IMAGING, LLC, an Oregon  
 limited liability company;  
 RADIOLOGY SPECIALISTS OF THE  
 NORTHWEST, P.C., a professional  
 corporation; CENTER FOR MEDICAL  
 IMAGING, LLC, an Oregon limited  
 liability company; and ADVANCED  
 MEDICAL IMAGING, LLC, an Oregon  
 limited liability company,  
 Defendants.

Civil No.

DECLARATION OF CYNTHIA  
 GULICK, D.O.

By Plaintiffs

1. I, Cynthia Gurlick, declare and state:

2. I have maintained a family care practice in the Portland area since 1990. I am a Doctor of Osteopathy. My practice group - Southwest Family Physicians - consists of three osteopathic doctors, one medical doctor, two family nurse practitioners, three physicians' assistants, two certified nurse midwives, and three physical therapists. Our office address is 11900 SW Greenburg Road in Tigard.

3. I graduated magna cum laude in 1983 with a B.A. in Philosophy from the University of Berkeley. I obtained my Doctor of Osteopathy in 1987 from the Michigan State College of Osteopathic Medicine in East Lansing Michigan. I served my internship and residency at Portland's Eastmoreland Hospital between 1987 and 1990, and was Chief Resident during the second and third year of my residency.

4. I maintain staff privileges at Providence St. Vincent Hospital and Legacy Meridian Park Hospital.

5. When I moved my practice within Tigard two years ago, one important issue for me and my patients was patient service and convenience as well as high standards for diagnostic imaging. With this goal in mind, I worked with a radiology service provider, Body Imaging Radiology, to provide x-ray and mammography imaging services in a location which is three doors down from our medical group's office. This nearby access to x-rays and mammograms is exceptionally important to my medical group and to our patients. By way of example, if a patient visits me with an ailment which requires an x-ray, that patient can walk a

short distance on foot and receive the x-ray immediately without needing to travel to a radiology facility far away from my practice group office. In fact, in many cases, the patient can hand-carry the developed x-ray film back to me, I can interpret the image and then offer a course of treatment, including writing necessary prescriptions, before the patient finishes his or her appointment. This arrangement allows me to focus on being efficient in my delivery of medical services to patients, which in turn saves patients time in the short run and money in the long run. The radiologists even read my interpretation later that day or the next day and call immediately with any patient positive clinic findings.

6. By way of further example, my female patients who are 40 years of age or older can schedule a mammogram at Body Imaging's radiology facility three doors away in sequence with the appointment for their annual physical examination by me. This is considerably more convenient for the patient and helps to ensure the patient will actually have the mammogram procedure completed. Any barrier to preventative medicine, such as forcing a patient to make a separate trip from their primary care physician's appointment and a separate trip to a faraway facility for a mammogram, increases the odds that the patient will not follow through with the preventative procedure and thus increase the chances a serious health issue would not be identified as early as it could have been.

7. I continue to be extremely disappointed in Providence's refusal to credential Body Imaging to provide

radiology services for Providence Health Plan insured patients and to provide radiology services for other insurance companies for whom Providence credentials medical service providers. My patients who are covered by the Providence Health Plan or a Providence-controlled health plan must make a separate trip to a Providence radiology facility (typically the radiology department at St. Vincent's Medical Center) in order to make certain x-rays and mammograms are covered by their health plan. Not only is the extra trip inconvenient, but the service provided by Providence does not equal the service provided by Body Imaging facilities.

8. I not only refer patients to the Body Imaging family next door for x-rays and mammograms, but also for other imaging services such as ultrasounds, MRIs, CT scans, and Bone Densitometry, to Body Imaging's new clinic in Beaverton. The service provided by Body Imaging is significantly better than at Providence St. Vincent's. Specifically, in comparison to St. Vincent's, Body Imaging is: (1) more able to schedule appointments the same or next day when patients request them; (2) quicker to respond to me as the attending physician with radiology test results; (3) far more accessible when I need to consult with the reader radiologist regarding their interpretation and conclusion; and (4) more able to ensure patients' time spent in the waiting room is minimized.

9. It is my opinion that patient care and service has been diminished for my patients who are compelled to use Providence radiology services as a result of Providence's economic credentialing. Patients and staff alike complain about the huge,

impersonal, intimidating system that always put you on hold at Providence. Faxed results from them often seem to get "lost" while patients have to wait interminably for results to be resent. I estimate the patients who are covered by either Providence Health Plan directly or by health plans for which Providence credentials health care providers, represent between 25 and 40 percent of my group's patient base.

10. I declare that the foregoing is true and correct.

DATED this 1<sup>st</sup> day of April, 2005.

  
Cynthia Gulick, D.O.