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7 Attorneys for Plaintiffs
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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF OREGON
12

13 EAST PORTLAND IMAGING CENTER,) Civil No.
P.C., an Oregon professional)
14 corporation doing business as)
EPIC IMAGING-EAST; and BODY) DECLARATION OF PATRICK L.
15 IMAGING, P.C., an Oregon) HANLEY, M.D.
professional corporation doing)
16 business as BODY IMAGING)
RADIOLOGY,)
17)
Plaintiffs,)
18)
v.)
19)

20 PROVIDENCE HEALTH SYSTEM-OREGON,)
an Oregon nonprofit corporation;)
PROVIDENCE HEALTH PLAN, an Oregon)
21 nonprofit corporation; PORTLAND)
MEDICAL IMAGING, LLC, an Oregon)
22 limited liability company;)
RADIOLOGY SPECIALISTS OF THE)
23 NORTHWEST, P.C., a professional)
corporation; CENTER FOR MEDICAL)
24 IMAGING, LLC, an Oregon limited)
liability company; and ADVANCED)
25 MEDICAL IMAGING, LLC, an Oregon)
limited liability company,)
26)

Defendants.

Page 1 - DECLARATION OF PATRICK L.
HANLEY, M.D.

HAGLUND KELLEY HORNGREN JONES & WILDER LLP
ATTORNEYS AT LAW
ONE MAIN PLACE
101 SW MAIN STREET, SUITE 1800
PORTLAND, OREGON 97204-3226

1 I, Patrick L. Hanley, declare and state as follows:

2 1. I am an Orthopedic Surgeon and have maintained a
3 private practice in Portland for 17 years.

4 2. I graduated from Wayne State University Medical
5 School in 1981 and earned an M.A. from Michigan State University
6 in 1977.

7 3. I performed my internship and residency through the
8 Wayne State University Affiliated Hospital Program between 1981
9 and 1986 and was a fellow with the University of Minnesota
10 Department of Sports Medicine and Knee Surgery during 1986 and
11 1987.

12 4. I am a member of the American Academy of Orthopedic
13 Surgeons, the American Medical Association, the Oregon Medical
14 Association, the Multnomah County Medical Society, the Western
15 Orthopedic Association, and the American College of Sports
16 Medicine.

17 5. I have been on staff at Portland Adventist Medical
18 Center from 1987 to the present. I also am credentialed with
19 staff privileges at Providence Medical Center, Physicians
20 Hospital, and Mt. Hood Medical Center.

21 6. Between 1990 and 1991 I chaired the Department of
22 Orthopedic Surgery at Portland Adventist Medical Center.

23 7. I am an anatomy lab instructor at Oregon Health
24 Science University and have served in this role since 1995.

25 8. Since 1988, I have been the Medical Director of the
26 Department of Sports Medicine at Portland Adventist Medical

1 Center, and since 1989, I have been the Medical Director of
2 Portland Adventist Medical Center's Department of Physical
3 Therapy.

4 9. I have served as team physician for Warner Pacific
5 Intercollegiate Athletics, the Portland Winter Hawks Hockey Team,
6 and the Portland Spikers Professional Volleyball Team. I have
7 served as Team Physician for Milwaukie High School Interscholastic
8 Athletic Teams, and as a Tournament Physician for the State High
9 School wrestling championships.

10 10. My published academic articles and presentations
11 include "Load Sharing and Graft Forces in ACL Reconstructions with
12 the LAD" in the American Journal of Sports Medicine (1989) and
13 "Variability and Load Sharing in ACL Repairs" in the Transcript of
14 the Orthopedic Research Society (1988).

15 11. My practice focuses on the diagnosis, care and
16 treatment of patients with disorders of the bones, joints,
17 muscles, ligaments, tendons, nerves and skin. Fifty percent of my
18 practice is devoted to non-surgical management of the
19 musculoskeletal system and 50% percent is devoted to surgical
20 management. Surgery may be necessary to restore function lost as
21 a result of injury or disease of bones, joints, muscles, tendons,
22 ligaments, nerves, or skin. Common diseases and conditions I
23 treat include: (1) fractures and dislocations; (2) torn ligaments,
24 sprains, and strains; (3) tendon injuries, pulled muscles, and
25 bursitis; (4) ruptured disks, sciatica, low back pains, and
26

1 scoliosis; (5) knock knees, bowlegs, bunions and hammer toes; (6)
2 arthritis and osteoporosis.

3 12. The American Academy of Orthopedic Surgeons
4 concludes that one in seven Americans has a musculoskeletal
5 impairment. The National Center for Health Statistics has
6 concluded that more Americans visit physicians' offices for
7 musculoskeletal conditions than for any other reason.

8 13. In my practice, I and my patients require the
9 services of radiologists for diagnostic purposes. The services
10 required include:

11 A. Computed Tomography (CT or CAT Scans);

12 B. Magnetic Resonance Imaging (MRI);

13 1. MRIs (Body MRIs)

14 2. Musculoskeletal MRIs;

15 C. Musculoskeletal Ultrasounds; and

16 D. Radiography (x-rays)

17 1. Arthrography

18 2. Bone x-rays

19 14. Timely and well-done radiology services are
20 important to my effort to deliver the best possible care for my
21 patients. Timely and well-done radiology work can be provided by
22 many different providers in the Portland area, but in my
23 experience over a 17-year period, timely and well-done radiology
24 work has been provided more consistently by EPIC Imaging. I am
25 comfortable offering the opinion that for myself and my patients,
26

1 EPIC Imaging is a gold standard for radiology services in the
2 Portland area.

3 15. Some of the specific reasons I think so highly of
4 EPIC Imaging are: (1) more so than other radiology providers,
5 EPIC's radiologists make an effort to consult with me directly
6 regarding their reports (such consultation is extremely important
7 in ensuring a patient receives the best possible care); (2) EPIC's
8 reports arrive more quickly after a referral has been made and are
9 sent to me as a matter of course, which is not always true of
10 Providence or some other providers; and (3) EPIC routinely is able
11 more quickly than other radiology providers to perform the tests I
12 request, including scheduling same-day referrals if requested.

13 16. Given my experience working with various radiology
14 service providers, it is my conclusion that overall patient care
15 is improved for those patients who are part of the Providence
16 system but still able to access the radiology services provided by
17 EPIC Imaging. Given my experience accumulated over the past 17
18 years, my choice for radiology services as a patient would be EPIC
19 Imaging.

20 17. I declare under penalty of perjury that the
21 foregoing is true and correct.

22 DATED this 31 day of March, 2005.

23
24 
25 _____
Patrick L. Hanley, M.D.