

**PATIENT INTAKE**

We'd like to welcome you as a new patient. Please take the time to fill out this form as accurately as possible so we can most appropriately address your health needs. The confidentiality of your health information is protected in accordance with federal protections for the privacy of health information under the Health Insurance Portability and Accountability Act (HIPAA). You will notice that we ask questions about race/ethnic and social/lifestyle background. We ask this information as some health issues have a base in your genetic history. Your social history helps us tailor our care so you can successfully implement your treatment plan. Thank you for helping us to meet your needs.

<b>PATIENT DEMOGRAPHICS</b>		
Name: Last, First, MI:		Birth Date/Current Age:
SSN:	Race/Ethnicity:	Genetic Sex/Gender ID:
Mailing Address:		
Preferred Phone:	Cell Phone:	Work Phone:
Email:		
Emergency Contact Name/Phone:		
<b>MEDICAL PRACTITIONERS</b>		
Primary Care:	Phone:	Fax:
Other, specify:	Phone:	Fax:
Other, specify:	Phone:	Fax:
<b>SOCIAL HISTORY</b>		
Occupation:		Hours Worked per Week:
Relationship Status:	Partner's Name/Phone:	

# HEALTH HISTORY

Your health history is a valuable tool for both you and your provider. It will help us work together to see life-long health patterns and the impact of individual acute events (i.e., surgery, major illness). Please feel comfortable filling out the form completely and honestly. In our practice you are safe from judgment as we work to help you recover and maintain your health.

## CURRENT CONCERNS

In order of importance, please identify the health concerns that brought you to the clinic today.

Condition	For How Long?	Successful past treatments?

## ALLERGIES

List any foods, drugs, or medications you are hypersensitive or allergic to:

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## CURRENT MEDICATIONS & SUPPLEMENTS

List all medications (Prescribed & Over the Counter), herbs, vitamins and supplements you currently take:

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**SYMPTOM LIST continued...**

Please mark current symptoms with **C** and past symptoms with **P**

**Immune & Inflammation**

- |   |  |  |   |
|---|--|--|---|
| <input type="checkbox"/> Chronic Fatigue Syndrome | <input type="checkbox"/> Fibromyalgia            | <input type="checkbox"/> Hepatitis A, B or C             | <input type="checkbox"/> Raynaud's Syndrome             |
| <input type="checkbox"/> Hashimoto's disease      | <input type="checkbox"/> Frequent illness        | <input type="checkbox"/> Herpes (circle) Oral or Genital | <input type="checkbox"/> Connective tissue inflammation |
| <input type="checkbox"/> Grave's disease          | <input type="checkbox"/> Frequent infection      | <input type="checkbox"/> HPV                             | <input type="checkbox"/> Food allergies                 |
| <input type="checkbox"/> Arthritis_____           | <input type="checkbox"/> Hay fever               | <input type="checkbox"/> HIV                             | <input type="checkbox"/> Environmental allergies        |
| <input type="checkbox"/> Lupus                    | <input type="checkbox"/> Frequent swollen glands | <input type="checkbox"/> Chicken Pox                     | <input type="checkbox"/> Seasonal allergies             |
| <input type="checkbox"/> Colitis                  | <input type="checkbox"/> Cancer                  | <input type="checkbox"/> Cold sores                      |   |
| <input type="checkbox"/> Crohn's disease          |  | <input type="checkbox"/> Mononucleosis                   |   |

**Head, Eyes, Ears, Nose, Throat**

- |   |   |   |   |
|---|---|---|---|
| <input type="checkbox"/> Impaired vision    | <input type="checkbox"/> Watery eyes          | <input type="checkbox"/> Runny nose     | <input type="checkbox"/> Toothache        |
| <input type="checkbox"/> Blurry vision      | <input type="checkbox"/> Impaired hearing     | <input type="checkbox"/> Sinus problems | <input type="checkbox"/> TMJ/Jaw problems |
| <input type="checkbox"/> Eye pain/strain    | <input type="checkbox"/> Ear ringing/Tinnitus | <input type="checkbox"/> Snoring        | <input type="checkbox"/> Sore throat      |
| <input type="checkbox"/> Glaucoma           | <input type="checkbox"/> Earaches             | <input type="checkbox"/> Headaches      | <input type="checkbox"/> Dry mouth        |
| <input type="checkbox"/> Dry eyes           | <input type="checkbox"/> Nose bleeds          | <input type="checkbox"/> Teeth grinding | <input type="checkbox"/> Dry throat       |
| <input type="checkbox"/> Red & painful eyes | <input type="checkbox"/> Bleeding gums        |   |   |

**Gastrointestinal & Elimination**

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Ulcers                | <input type="checkbox"/> Rectal bleeding    | <input type="checkbox"/> Indigestion                        | <b>___# of Bowel movements per day</b>  |
| <input type="checkbox"/> Increased appetite    | <input type="checkbox"/> Hemorrhoids        | <input type="checkbox"/> Greasy foods upset                 | <b>Please circle type of BM:<br/>loose hard dry soft<br/>sticky (sticks to bowl)<br/>"normal"</b> |
| <input type="checkbox"/> Decreased appetite    | <input type="checkbox"/> Constipation       | <input type="checkbox"/> Bloating after meals               |   |
| <input type="checkbox"/> Nausea/Vomiting       | <input type="checkbox"/> Loose stools       | <input type="checkbox"/> Discomfort after eating            | <b>Please circle color of BM:<br/>brown pale color green<br/>black bloody</b>                     |
| <input type="checkbox"/> Gas                   | <input type="checkbox"/> Diarrhea           | <input type="checkbox"/> Discomfort relieved by eating      |   |
| <input type="checkbox"/> Abdominal pain        | <input type="checkbox"/> Irritable bowel    | <input type="checkbox"/> Gallstones/<br>Gallbladder disease |   |
| <input type="checkbox"/> Liver disease         | <input type="checkbox"/> Inflammatory bowel | <input type="checkbox"/> Undigested food in stools          |   |
| <input type="checkbox"/> Heartburn/Acid reflux | <input type="checkbox"/> Polyps             | <input type="checkbox"/> Urgency to defecate                |   |
| <input type="checkbox"/> Belching              | <input type="checkbox"/> Leaky gut          |   |   |

**Cardiovascular & Blood**

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Irregular heartbeat         | <input type="checkbox"/> TIA/Stroke           | <input type="checkbox"/> Cold hands/feet                 | <input type="checkbox"/> Anemia             |
| <input type="checkbox"/> Palpitations, Fluttering    | <input type="checkbox"/> Heart murmurs        | <input type="checkbox"/> Hands & feet go to sleep easily | <input type="checkbox"/> Swelling of ankles |
| <input type="checkbox"/> Chest pain                  | <input type="checkbox"/> Rheumatic Fever      | <input type="checkbox"/> Fast pulse (over 100 beats/min) | <input type="checkbox"/> Heart disease      |
| <input type="checkbox"/> Chest pressure or tightness | <input type="checkbox"/> High LDL cholesterol | <input type="checkbox"/> Slow pulse (under 60 beats/min) | <input type="checkbox"/> Heart attack       |
| <input type="checkbox"/> Dizziness                   | <input type="checkbox"/> Low HDL cholesterol  |  | <input type="checkbox"/> Numbness           |
|  | <input type="checkbox"/> High blood pressure  |  | <input type="checkbox"/> Varicose veins     |
|  | <input type="checkbox"/> Low blood pressure   |  |   |

**Endocrine**

- Thyroid problems
- Diabetes Mellitus
- Hypoglycemia
- Feeling hot or cold
- Hypo adrenal

**Neurological**

- Seizures/Epilepsy
- Nerve pain
- Vertigo/Dizziness
- Paralysis
- Numbness/Tingling
- Loss of Balance

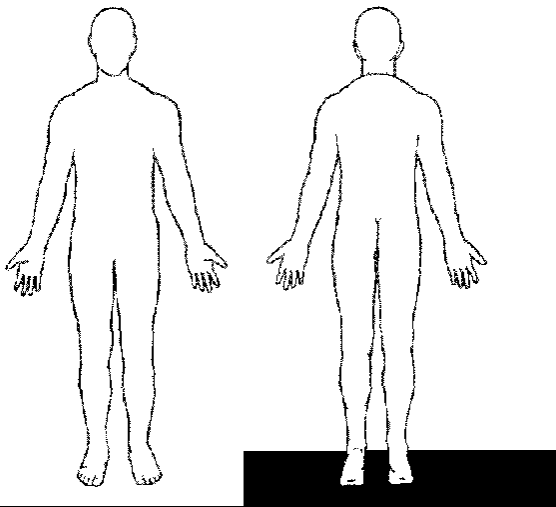
**Respiratory**

- Pneumonia
- Frequent colds & flu
- Wheezing
- Bronchitis
- Shortness of breath
- Persistent cough
- Pleurisy
- Asthma
- Tuberculosis
- Emphysema

Sleep & Energy	Skin	Urinary System	Blood Sugar Regulation
<input type="checkbox"/> Insomnia <input type="checkbox"/> Light sleeper/wake easily <input type="checkbox"/> Can't fall back to sleep <input type="checkbox"/> Fatigue <input type="checkbox"/> Tired during day but awake at night <input type="checkbox"/> Can't relax <input type="checkbox"/> Poor memory <input type="checkbox"/> Fuzzy thinking <input type="checkbox"/> Sleep with pets (in room or in bed) <input type="checkbox"/> Sleep Apnea <input type="checkbox"/> Use a CPAP machine	<input type="checkbox"/> Rashes <input type="checkbox"/> Eczema <input type="checkbox"/> Hives <input type="checkbox"/> Rosacea <input type="checkbox"/> Dandruff <input type="checkbox"/> Fungal infections <input type="checkbox"/> Warts <input type="checkbox"/> Psoriasis <input type="checkbox"/> Sweat easily during day <input type="checkbox"/> Sweat easily at night <input type="checkbox"/> Never sweat <input type="checkbox"/> Itchy skin <input type="checkbox"/> Dry skin <input type="checkbox"/> Bruise easily <input type="checkbox"/> Acne <input type="checkbox"/> Boils	<input type="checkbox"/> Kidney disease <input type="checkbox"/> Painful urination <input type="checkbox"/> Frequent urinary tract infection <input type="checkbox"/> Frequent urination in general <input type="checkbox"/> Frequent urination at night <input type="checkbox"/> Impaired urination <input type="checkbox"/> Urgency to urinate <input type="checkbox"/> Lack of bladder control <input type="checkbox"/> Kidney stones <input type="checkbox"/> Blood in urine	<input type="checkbox"/> Emotional eating <input type="checkbox"/> Excessive appetite <input type="checkbox"/> Hungry between meals <input type="checkbox"/> Irritable before meals <input type="checkbox"/> Get shaky if hungry <input type="checkbox"/> Afternoon headaches <input type="checkbox"/> Crave sweets in afternoon <input type="checkbox"/> Compulsive eating <input type="checkbox"/> Frequent dieting <input type="checkbox"/> Frequent overeating

**Musculoskeletal**

Note any current bone, joint, muscle, tendon, or ligament problems. Please include: 1) Cause 2) Diagnosis 3) When problem started 4) Helpful Treatments: Shade areas of persistent pain on the diagram below. Please circle here if you have osteoporosis.

 <p><b>Front</b>      <b>Back</b></p>	

**ORAL HEALTH**

Number of times you brush per day \_\_\_\_\_

Type of toothbrush: manual electric \_\_\_\_\_

Toothpaste: \_\_\_\_\_

Mouthwash: \_\_\_\_\_

Number of times you floss: \_\_\_\_\_

Date last dental cleaning: \_\_\_\_\_

Orthodontia dates: \_\_\_\_\_

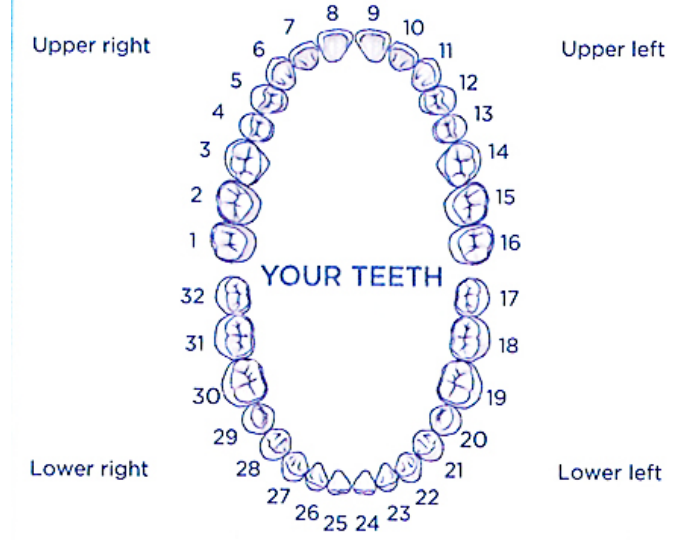
Dentures/Crown dates: \_\_\_\_\_

Oral Surgeries: \_\_\_\_\_

Tooth Sensitivities: \_\_\_\_\_

Wisdom Teeth: Intact Removed Failed to Form

On the diagram, mark fillings with an X. Mark crowns with a star. Mark root canals with RC. Circle sore teeth or areas of concern.



**VACCINATIONS**

Please check the box and write the approximate year received next to each vaccination you have had:

<input type="checkbox"/> Hepatitis B (Hep B)	<input type="checkbox"/> Measles, Mumps Rubella (MMR)
<input type="checkbox"/> Rotavirus (RV)	<input type="checkbox"/> Varicella (VAR aka Chicken Pox)
<input type="checkbox"/> Diphtheria, Tetanus, Pertussis (DTaP)	<input type="checkbox"/> Hepatitis A (Hep A)
<input type="checkbox"/> Haemophilus Influenzae Type B (HIB)	<input type="checkbox"/> Human Papillomavirus (HPV)
<input type="checkbox"/> Pneumococcal	<input type="checkbox"/> Meningococcal
<input type="checkbox"/> Polio	<input type="checkbox"/> Zoster (Shingles)
<input type="checkbox"/> Influenza (Flu)	<input type="checkbox"/> Other (list):
<input type="checkbox"/> Covid 'Vaccines' (circle manufacturer and list date(s) any injections were received, including boosters): Moderna, Pfizer, Johnson & Johnson; Dates: _____	

\*Please note if you are aware of any adverse reactions your body had to ANY vaccines or injections you have received.

FEEL FREE TO USE THIS SPACE (or a separate sheet) TO RECORD ANY ADDITIONAL INFORMATION YOU THINK SUMMER NEEDS TO KNOW:

**SEX/GENDER SPECIFIC HISTORY**

**WOMEN'S HEALTH**

<input type="checkbox"/> PMS symptoms <input type="checkbox"/> Irregular/missed periods <input type="checkbox"/> Painful periods <input type="checkbox"/> Short cycles (<26 days) <input type="checkbox"/> Long cycles (>35 days) <input type="checkbox"/> Clots in menstrual blood <input type="checkbox"/> Fatigue after menses <input type="checkbox"/> Spotting between periods  Date of last period ____/____/____ # Days of bleeding _____ Color of blood: bright dark pale Type of blood: light medium heavy <input type="checkbox"/> Vaginal discharge <input type="checkbox"/> Vaginal infections <input type="checkbox"/> Uterine fibroids <input type="checkbox"/> Endometriosis <input type="checkbox"/> Ovarian Cyst <input type="checkbox"/> Hysterectomy, when:	<input type="checkbox"/> Current or past sexual or physical abuse <input type="checkbox"/> Sexually transmitted disease(s) <input type="checkbox"/> Pain with intercourse <input type="checkbox"/> Difficulty conceiving <input type="checkbox"/> Pregnant now or trying to get pregnant  <b>Current method of birth control:</b> _____ <b>Past methods of birth control:</b> _____ _____ _____ ____ # of Pregnancies, Dates: _____ ____ # of Births, Dates: _____ ____ # of Miscarriages, Dates: _____ ____ # of Abortions, Dates: _____ Note any complications during pregnancies, births, postpartum: _____ _____	<input type="checkbox"/> Breast fibroids <input type="checkbox"/> Breast lumps <input type="checkbox"/> Breast pain <input type="checkbox"/> Nipple discharge  Monthly breast exam? Yes No  Last Pap Smear: _____ Last mammogram or thermograph: _____ _____ (Note: Summer does not recommend mammograms based only on age) <input type="checkbox"/> Cancer: ovarian   uterine breast     cervical <input type="checkbox"/> Menopause symptoms <input type="checkbox"/> Hormone Replacement Therapy <input type="checkbox"/> Decreased sexual energy <input type="checkbox"/> Increased sexual energy
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**MEN'S HEALTH**

<input type="checkbox"/> Prostate hypertrophy (BPH) <input type="checkbox"/> Testicular pain/swelling <input type="checkbox"/> Difficulty conceiving <input type="checkbox"/> Penile discharge <input type="checkbox"/> Cancer Prostate   Testicular   Breast	<input type="checkbox"/> Increased sexual energy <input type="checkbox"/> Decreased sexual energy <input type="checkbox"/> Sexual difficulties <input type="checkbox"/> Current past sexual or physical abuse <input type="checkbox"/> Sexually transmitted diseases
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Thank you for providing us with your valuable health information. Taking the time to do a thorough health history is one of the first steps to reclaiming your health. If your health history changes from visit to visit, it is important to inform your provider.

Summer Waters, LAc, NTP, CGP

# ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF PRIVACY PRACTICES

**\*\*You may refuse to sign this acknowledgment\*\***

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

**I, \_\_\_\_\_, have  
received a copy of this office's HIPPA privacy notice.**

Patient Signature \_\_\_\_\_

Patient Representative  
Name \_\_\_\_\_

Patient Representative  
Signature \_\_\_\_\_

\* \* \* \* \*

### FOR OFFICE USE ONLY

We attempted to obtain written Acknowledgement of Receipt of Privacy Practices but  
acknowledgement could not be obtained because:

- Patient refused to sign
- Communication barriers prevented obtaining acknowledgement
- An emergency situation prevented us from obtaining  
acknowledgement
- Other (Please specify)

\_\_\_\_\_



**PRICING and FINANCIAL POLICY**

<i>Service</i>	<i>Fee</i>	<i>Hardship Scale</i>
Comprehensive Consultation for Chronic Conditions – includes initial 2-hour intake and 1-hr follow up consultation	\$350	n/a
Initial New Patient/ Reinstatement Consultation (in-person or at-a-distance)	\$240	n/a
Follow-up Consultation (in-person or at-a distance)	\$120	\$90 to \$119

**UNDERSTANDING THE HARDSHIP SLIDING FEE SCALE:**

Summer recognizes that we are all governed to some extent by our personal economy. Unfortunately for many, one of the first areas to suffer is our healthcare. While cutting healthcare may reduce our budgets a little in the short term, in the long run it is very costly—we commonly develop chronic conditions and acute issues can worsen.

Summer wants you to take care of your health and to help you she developed a sliding fee scale. If you are under financial duress, you may choose to pay any amount between the lower sliding scale price listed on the fee schedule. If you feel you do not need the full hardship discount you may pay anywhere upwards of the base hardship fee. Unlike many medical practices, Summer does not require you provide documentation of your financial hardship. She trusts your integrity and knows you will only use the sliding fee scale if you need it. If a patient abuses the hardship sliding fee scale, Summer reserves the right to discontinue care.

**MAKING PAYMENTS:**

- ☛ *Payment for services and Wellness Shop items are due at or before time of service (cash, check, credit or debit card)*
- ☛ *Wellness Shop charges are separate from fees for service.*
- ☛ *No returns are allowed on compounded pharmacy items (tincture, creams, etc.), special orders, opened items, or potentially perishable items such as oils that may have been left in a hot car, at the sole discretion of Summer Waters.*
- ☛ *Please make all checks payable to Summer Waters, LLC.*
- ☛ *Visit [www.SummerWaters.com/payments](http://www.SummerWaters.com/payments) to make your payment online with Visa, Mastercard, American Express or Discover.*
- ☛ ***At-a-distance patients need to make their payment at least one day before their scheduled appointment by visiting the link above and entering the required information. Proof of payment will be automatically received by our office.***

**REINSTATEMENT CONSULTATION:**

If a patient has not been seen by Summer for a consultation for one calendar year or is not currently enrolled in a SAVOR YOUR HEALTH program, the patient requires a reinstatement consultation. Our health is fluid and many aspects of it can change in a year. This reinstatement is to ensure Summer has the current health information necessary to optimize your treatment.

**RETURNED CHECK AND OTHER FEES:**

There is a \$35 fee on all returned checks. This is to cover bank fees charged in the event of a returned check.

A \$100.00 deposit is required to book an initial appointment. This nonrefundable deposit holds your scheduled appointment time and will be applied to your initial appointment rate. The initial appointment balance is due at the time of your initial appointment.

**A valid credit card is required to be kept on file for any charges to be made for late cancellations, no-show appointments, and other approved charges. By signing below, you understand that it is your responsibility to notify us if your credit card information needs to be updated.** Please see the section below for details.

**LATE CANCELLATION AND NO-SHOW APPOINTMENT POLICY:**

We require 36 business hours notice for cancellation or rescheduling of an appointment. Due to a limited number of available appointment spots for in-person patients, we require any Tuesday appointment cancellations be submitted by 4:00 p.m. Friday of the previous week. This allows us time to rebook for other patients who would like to get in sooner. Thank you for your understanding and cooperation. **All appointments cancelled with less than 36 business hours notice are subject to a \$50.00 fee.** Out of consideration to other patients who would like to receive care, **all missed or "No-Show" appointments will be charged the full rate of the scheduled appointment.**

Call 541-326-8952 for any appointment cancelations or changes. **Do not cancel by email.** For information about cancellations or refunds on programs, please see the program materials.

**I have read the above two-page PRICING AND FINANCIAL POLICY and understand, and hereby agree to the fee schedule and policy terms as stated.**

Printed Name: \_\_\_\_\_

Signature

Date

### CREDIT CARD AUTHORIZATION FORM for Summer Waters, LLC

A valid credit card is required to be on file to receive care with Summer Waters, LLC.

Summer Waters, LLC, reserves the right to charge for late cancellation fees or missed appointments, as defined above. Please complete all fields in this form. You may cancel this authorization at any time by contacting us. This authorization will remain in effect until cancelled.

<b>Credit Card Information</b>
Card Type: <input type="checkbox"/> MasterCard <input type="checkbox"/> VISA <input type="checkbox"/> Discover <input type="checkbox"/> AMEX <input type="checkbox"/> Other
Card #: _____
Cardholder Name (as shown on card): _____
Last 4 digits of Card Number: _____
Expiration Date (mm / yy): _____ CVV (3 Digit Code): _____
Cardholder ZIP Code (from credit card billing address): _____

I, \_\_\_\_\_  
authorize Summer Waters, LLC to charge my credit card, listed above, for agreed upon purchases. I understand that my information will be saved to file for future transactions on my account.

\_\_\_\_\_  
Customer Signature

\_\_\_\_\_  
Date Signed

## INFORMED CONSENT for TREATMENT

I, hereby request and consent to the performance of acupuncture treatments and other procedures that are within the scope of practice of acupuncture on me (or for the patient named below, for whom I am legally responsible) by Summer Waters, LAc., NTP, CGP. I understand that methods of treatment may include, but are not limited to, acupuncture, Far Infra-Red (FIR) heat therapy, Cranial Electrotherapy Stimulation (CES), Chinese herbal medicine, nutritional supplements, and lifestyle and nutritional counseling. I understand that I have the right to refuse any or all treatments recommended to me by Summer Waters, LAc, NTP, CGP.

I have been informed that acupuncture is a generally safe method of treatment, but that it may have some side effects, including bruising, numbness or tingling near the needling sites that may last a few days, and dizziness or fainting. Bruising is a common side effect of cupping. Unusual risks of acupuncture include spontaneous miscarriage, nerve damage and organ puncture, including lung puncture (pneumothorax). Infection is another possible risk, although Summer Waters, LAc, NTP, CGP, uses sterile disposable needles and maintains a clean and safe environment. Burns and/or scarring are a potential risk of heated lamp therapy. I understand that while this document describes the major risks of treatment, other side effects and risks may occur.

I understand that the herbs may need to be prepared and the teas consumed according to the instructions provided orally and in writing. The herbs may have an unpleasant smell or taste. I will immediately notify Summer Waters, LAc, NTP, CGP, of any unanticipated or unpleasant effects associated with the consumption of the herbs. The herbs and nutritional supplements (which are from plant, animal and mineral sources) that have been recommended are traditionally considered safe in the practice of Chinese Medicine, although some may be toxic in large doses. I understand that some herbs may be inappropriate during pregnancy. I will notify Summer Waters, LAc, NTP, CGP, if I am pregnant, become pregnant, or am trying to become pregnant. Some possible side effects of taking herbs are nausea, gas, stomachache, vomiting, headache, diarrhea, rashes, hives, and tingling of the tongue.

I agree to keep Summer Waters, LAc, NTP, CGP, informed of any changes in my medical condition. I do not expect Summer Waters, LAc, NTP, CGP, to be able to anticipate and explain all possible risks and complications of treatment, and I wish to rely on Summer Waters, LAc, NTP, CGP, to exercise judgment during the course of treatment she thinks at the time, based upon the facts then known, is in my best interest. I acknowledge that my condition and the potential benefits of acupuncture have been discussed with me. I have had the likelihood of success explained to me, and I understand that results are not guaranteed, and that my participation in my own treatment and quantity of treatments may significantly influence the outcome and results.

By voluntarily signing below, I show that I have read, or have had read to me, the above consent to treatment, have been told about the risks and benefits of acupuncture and other procedures, and have had an opportunity to ask questions. I also acknowledge that other treatment options have been presented to me. I intend this consent form to cover the entire course of treatment for my present condition and for any future condition(s) for which I seek treatment.

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Patient Signature or Patient Representative –  
including relationship if signing for patient

Date

## BINDING ARBITRATION AGREEMENT

**Article 1: Agreement to Arbitrate:** It is understood that any dispute as to medical malpractice, that is as to whether any medical services rendered under this contract were unnecessary or unauthorized or were improperly, negligently, or incompetently rendered, will be determined by submission to arbitration as provided by Oregon law provides for judicial review of arbitration proceedings. Both parties to this contract, by entering into it, are giving up their constitutional rights to have any such dispute in a court of law before a jury, and instead are accepting the use of arbitration.

**Article 2: All Claims Must be Arbitrated:** It is the intention of the parties that this agreement bind all parties whose claims may arise out of or relate to treatment or service provided by the health care practitioner, including any spouse or heirs of the patient and any children, whether born or unborn, at the time of the occurrence giving rise to any claim. In the case of any pregnant mother, the term "patient" herein shall mean both the mother and the mother's expected child or children.

All claims for monetary damages exceeding the jurisdictional limit of the small claims court against the health care practitioner, and the practitioner's partners, associates, association, corporation or partnership, and the employees, agents and estates of any of them, must be arbitrated including, without limitation, claims for the loss of consortium, wrongful death, emotional distress or punitive damages. Filing of any action in any court by the health care practitioner to collect any fee from the patient shall not waive the right to compel arbitration of any malpractice claim.

**Article 3: Procedures and Applicable Law:** A demand for arbitration must be communicated in writing to all parties. Each party shall select an arbitrator (party arbitrator) within thirty days and a third arbitrator (neutral arbitrator) shall be selected by the arbitrators appointed parties within thirty days of a demand for a neutral arbitrator by either party. Each party to the arbitration shall pay such party's pro rata share of the expenses and fees of the neutral arbitrator, together with other expenses of the arbitration incurred or approved by the neutral arbitrator, not including counseling fees or witness fees, or other expenses incurred by a party for such party's own benefit. The parties agree that the arbitrators have the immunity of a judicial officer from civil liability when acting in the capacity of arbitrator under this contract. This immunity shall supplement, nor supplant, any other applicable statutory or common law.

Either party shall have the absolute right to arbitrate separately the issues of liability and damages upon written request to the neutral arbitrator.

The parties' consent to the intervention and joinder in this arbitration of any person or entity, which would otherwise be a proper additional party in a court action, and upon such intervention and joinder any existing court action against such additional person or entity shall be stayed pending arbitration.

**Article 4: General Provisions:** All claims based upon the same incident, transaction or related circumstances shall be arbitrated in one proceeding. A claim shall be waived and forever barred if (1) on the date notice thereof is received the claim, if asserted in a civil action, would be barred by the applicable Oregon statute of limitations, or (2) the claimant fails to pursue the

### BINDING ARBITRATION AGREEMENT Continued (pg. 2/2)

arbitration claim in accordance with the procedures prescribed herein with reasonable diligence. With respect to any matter not herein expressly provided for, the arbitrators shall be governed by the Oregon Code of Civil Procedure provisions relating to arbitration.

Article 5: **Revocation:** This agreement may be revoked by written notice delivered to the health care practitioner within 30 days of signature. It is the intent of this agreement to apply to all medical services rendered any time for any condition.

Article 6: **Retroactive Effect:** If patient intends this agreement to cover services rendered before the date it is signed (including, but not limited to, emergency treatment) patient should initial below:

\_\_\_\_\_ Effective as of the date of first medical services.

If any provision of this arbitration agreement is held invalid or unenforceable, the remaining provisions shall remain in full force and shall not be affected by the invalidity of any other provision.

I understand that I have the right to receive a copy of this arbitration agreement. By my signature below, I acknowledge that I have received a copy.

NOTICE: BY SIGNING THIS CONTRACT YOU ARE AGREEING TO HAVE ANY ISSUE OF MEDICAL MALPRACTICE DECIDED BY NEUTRAL ARBITRATION AND YOU ARE GIVING UP YOUR RIGHT TO A JURY OR COURT TRIAL. SEE ARTICLE 1 OF THIS CONTRACT.

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Patient Name Print

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Patient Signature or Patient Representative –  
including relationship if signing for patient

Date

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Practitioner Name Print

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Practitioner Signature

Date