

Oregon Medical Board
BOARD ACTION REPORT
February 15, 2012

The information contained in this report summarizes new, interim, and final actions taken by the Oregon Medical Board between January 16, 2012 and February 15, 2012.

Scanned copies of Interim Stipulated Orders, Orders of Emergency Suspension, Stipulated Orders, Final Orders, Termination Orders, Modification Orders and Voluntary Limitations are included at the end of this report in the order that they appear in the report. These orders are marked with an * asterisk. **Scanned copies of Corrective Action Agreements and Consent Agreement are not posted, as they are not disciplinary action and impose no practice limitations.** Complaint and Notices of Proposed Disciplinary Action are not listed in this report, as they are not final actions by the Board. Both Orders, however, are public and are available upon request.

Printed copies of the Board Orders not provided with this report are available to the public. To obtain a printed copy of a Board Order not provided in this report, please complete a Service Request Form (<http://egov.oregon.gov/BME/PDFforms/VerDispMalFillin.pdf>) found under the Licensee Information Request Form link on the Board's web site, submit it with the \$10.00 fee *per licensee* and mail to:

**Oregon Medical Board
1500 SW 1st Ave, Ste 620
Portland, OR 97201**

Copies of the Orders listed below are mailed to Oregon hospitals where the Licensee had self-reported that he/she has privileges.

***Battey, Richard, Roy, MD; MD18143; Grants Pass, OR**

On January 27, 2012, Licensee entered into an Interim Stipulated Order in which he agreed to conduct all examinations of or procedures on female patients, aged 18 or older, in the presence of a medically trained chaperone.

***Czarnecki, Mark, Dennis, DO; DO15400; The Dalles, OR**

On February 2, 2012, Licensee entered into a Stipulated Order with the Board. This Order retires his license while under investigation and outlines the requirements of Licensee should he apply for the reactivation of his license.

***Lhundup, Karma, Jampa, LAc; AC00845; Portland, OR**

On January 18, 2012, the Board issued an Order Terminating Order of License Suspension. This Order terminates Licensee's January 12, 2012 Order of License Suspension.

***Thein, Michael, David, MD; MD20267; Klamath Falls, OR**

On February 2, 2012, Licensee entered into a Stipulated Order with the Board. This Order surrenders his license while under investigation and prohibits him from applying for licensure in the future.

If you have any questions regarding this service, please call the Board at (971) 673-2700 or toll-free within Oregon at (877) 254-6263.

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
RICHARD ROY BATTLEY, MD) INTERIM STIPULATED ORDER
LICENSE NO. MD18143)

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the state of Oregon. Richard Roy Battey, MD (Licensee) is a licensed physician in the state of Oregon and holds an active license.

2.

Licensee works as a physician at the Women's Health Center of Southern Oregon in Grants Pass, Oregon. The Board has opened an investigation of Licensee.

3.

In order to address the concerns of the Board while it conducts the investigation, Licensee and the Board agree to the entry of this Interim Stipulated Order, which provides that Licensee shall comply with the following conditions:

3.1 Licensee will not conduct any examination or medical procedure on a female patient 18 years of age or older without a medically trained chaperone being present throughout the course of the examination or procedure. The presence of the chaperone will be immediately documented in the patient chart. The chaperone shall be medically trained and not a friend or relative of the patient or physician.

3.2 Licensee understands that violating any term of this Order may be grounds for disciplinary action under ORS 677.190(17), willfully violating Board order.

3.3 Licensee understands this Order becomes effective the date he signs it.

4.

At the conclusion of the Board's investigation, the limitation placed on Licensee will be reviewed in an expeditious manner. If the Board determines, following that review, that these limitations shall not be lifted, Licensee may request a hearing to contest that decision.

5.

This order is issued by the Board pursuant to ORS 677.265 while the Board conducts its investigation for the purpose of fully informing itself with respect to the performance or conduct of the Licensee and Licensee's ability to safety and competently practice medicine. Pursuant to ORS 677.425, Board investigative materials are confidential and shall not be subject to public disclosure, nor shall they be admissible as evidence in any judicial proceeding. However, as a stipulation this Order is a public document.

IT IS SO STIPULATED THIS 27 day of January, 2012.

SIGNATURE REDACTED

RICHARD ROY BATTEY, MD

IT IS SO ORDERED THIS 27th day of January, 2012.

OREGON MEDICAL BOARD

SIGNATURE REDACTED

KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR

1 Order will terminate the Interim Stipulated Order, dated September 20, 2011. By entering
2 into this Order, Licensee understands that although the Board makes no finding at this time as
3 to whether his conduct violated the Medical Practice Act, this document is a public record and
4 is reportable to the National Practitioners Data Bank, the Healthcare Integrity and Protection
5 Data Bank and the Federation of State Medical Boards.

6 4.

7 Licensee and the Board agree to resolve this matter by the entry of this Stipulated
8 Order subject to the following conditions:

9 4.1 Licensee retires his license to practice medicine while under investigation. This
10 retirement of license becomes effective the date the Board Chair signs this Order.

11 4.2 Throughout the time that the medical license of Licensee remains in a retired
12 status, Licensee is prohibited from practicing any form of medicine.

13 4.3 This Order terminates the Interim Stipulated Order, which Licensee signed on
14 September 20, 2011.

15 4.4 In the event Licensee should submit an application for reactivation of his
16 medical license, Licensee understands that the Board will reopen this investigation, and will
17 require Licensee to undergo a competency evaluation at Licensee's own expense either at the
18 Physician Assessment and Clinical Education Program (PACE) or the Center for Personalized
19 Education for Physicians (CPEP) to assess his medical knowledge, clinical judgment, and
20 ability to safely practice medicine. The Board will not further process his application until
21 Licensee signs all necessary releases to allow the Board to fully communicate with the
22 evaluation center and receives the completed evaluation report directly from the evaluation
23 center.

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of	}	
KARMA JAMPA LHUNDUP, LAc		ORDER TERMINATING ORDER
LICENSE NO. AC00845		OF LICENSE SUSPENSION

1.

On January 12, 2012, the Oregon Medical Board (Board) issued an Order of License Suspension regarding Karma Jampa Lundup, LAc (Licensee). This Order was issued pursuant to ORS 25.750, and Licensee's failure to pay child support. On January 17, 2012, the Board received notification from the Multnomah County District Attorney's office informing the Board that Licensee is now in compliance with his child support payments and that his license should be reinstated.

2.

The Board does hereby terminate the January 12, 2012 Order of License Suspension, effective the date this Order is signed by the Board Chair and orders that Licensee's license be returned to active status.

IT IS SO ORDERED this 18th day of January, 2012.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

W. KENT WILLIAMSON, MD
Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
MICHAEL DAVID THEIN, MD) STIPULATED ORDER
LICENSE NO. MD20267)

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the State of Oregon. Michael David Thein, MD (Licensee) is a licensed physician in the State of Oregon.

2.

On November 8, 2011, the Board opened an investigation after receiving a complaint alleging multiple boundary violations involving a female patient. A subsequent investigation revealed credible evidence that the Licensee, a psychiatrist, engaged in an inappropriate sexual relationship with an adult female patient. Licensee signed an Interim Stipulated Order on December 15, 2011, and an Amended Interim Stipulated Order on December 23, 2011, in which he voluntarily withdrew from the practice of medicine.

3.

Licensee and the Board agree to close this investigation with this Stipulated Order in which Licensee agrees to surrender his license while under investigation, consistent with the terms of this Order. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes and fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the Board's records. Licensee and the Board acknowledge that this Order will terminate the Amended Interim Stipulated Order, dated December 23, 2011. By entering into this Order, Licensee understands that although the

1 Board makes no finding at this time as to whether his conduct violated the Medical Practice
2 Act, this document is a public record and is reportable to the National Practitioners Data
3 Bank, the Healthcare Integrity and Protection Data Bank and the Federation of State Medical
4 Boards.

5 4.

6 Licensee and the Board agree to resolve this matter by the entry of this Stipulated
7 Order subject to the following conditions:

8 4.1 Licensee surrenders his license to practice medicine while under investigation.
9 This surrender becomes effective the date the Board Chair signs this Order.

10 4.2 Throughout the time that the medical license of Licensee remains in
11 surrendered status, Licensee is prohibited from practicing any form of medicine in the State of
12 Oregon.

13 4.3 Licensee will not apply for relicensure in the State of Oregon to practice
14 medicine.

15 4.4 This Order terminates the Amended Interim Stipulated Order, which Licensee
16 signed on December 23, 2011.

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