

Oregon Medical Board
BOARD ACTION REPORT
April 15, 2014

The information contained in this report summarizes new, interim, and final actions taken by the Oregon Medical Board between March 16, 2014 and April 15, 2014.

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 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.

***Andrews, David Anker, MD; MD09145; Hillsboro, OR**

On April 3, 2014, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; gross or repeated acts of negligence; willfully violating any Board rule or order; violation of the federal Controlled Substances Act; and prescribing controlled substances without a legitimate medical purpose or following accepted procedures for examination of patients and record keeping. This Order reprimands Licensee; assesses a \$5,000 civil penalty; requires Licensee to complete a course on professional boundaries pre-approved by the Board; places Licensee on probation; prohibits Licensee from prescribing to family members; requires Board approval of any practice setting; and prohibits Licensee from acting as a supervising physician to a physician assistant.

***Bernardo, Peter Augusto, MD; MD17631; Salem, OR**

On April 3, 2014, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct, and repeated negligence in the practice of medicine. This Order reprimands Licensee; assesses a \$5,000 fine; prohibits Licensee from performing laparoscopic procedures involving a body cavity or open surgeries with an overnight stay without a board-certified surgeon assistant; prohibits Licensee from using the Visiport trocar; requires Board approval of any practice location; requires that Licensee allow for open communication between the Board and any practice location; and places Licensee on probation.

***Bookwalter, Matthew Mason, DPM; DP00347; Chinle, AZ**

On April 3, 2014, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's July 9, 2009, Corrective Action Agreement.

***Branch, Benjamin Frederick, DO; DO29119; Medford, OR**

On April 3, 2014, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's July 12, 2012, Stipulated Order.

Carlson, Deborah Lee, MD; MD22867; Salem, OR

On April 3, 2014, the Board issued an Order Terminating Consent Agreement. This Order terminates Licensee's April 4, 2013, Consent Agreement.

Coyne, Kelly Shawn, PA; PA162024; Gresham, OR

On March 21, 2014, the Board issued an Order Terminating Consent Agreement. This Order terminates Licensee's July 11, 2013, Consent Agreement.

***Day, Floyd Douglas, MD; MD05881; Portland, OR**

On April 3, 2014, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's January 13, 2005, Stipulated Order.

***Ellison, John Harold, MD; MD06289; Hillsboro, OR**

On April 3, 2014, the Board issued an Order Terminating Corrective Action Order. This Order terminates Licensee's September 5, 2002, Corrective Action Order.

***Fitzsimons, Josephine Marie, MD; MD17657; Bend, OR**

On April 3, 2014, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete a pre-approved course in professionalism.

***Gregory, Winn Harrison, MD; MD22728; Hermiston, OR**

On April 3, 2014, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete an education plan prepared by the Center for Personalized Education for Physicians and remain under the care of a provider that is pre-approved by the Board's Medical Director.

***Hansen, Vincent Edward, MD; MD10920; Portland, OR**

On April 3, 2014, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to practice only in a setting pre-approved by the Board's Medical Director, make his practice available for no-notice audits by the Board, and continue his relationships with his healthcare providers.

***Hsu, Monica, MD; MD155319; Tulsa, OK**

On April 3, 2014, Licensee entered into a Corrective Action Agreement with the Board. This Agreement requires Licensee to practice under proctors/mentors pre-approved by the Board; outlines chart review and procedure observations to be performed by the proctors/mentors; and requires that Licensee become board certified within two years.

***Kleinert, Kathleen Marie, DO; DO153515; Springfield, OR**

On April 1, 2014, Licensee entered into an Interim Stipulated Order to voluntarily withdraw from practice and place her license in Inactive status pending the completion of the Board's investigation into her ability to safely and competently practice medicine.

***Lienhardt, Ashley Ellen, PA; Applicant; Portland, OR**

On April 3, 2014, Applicant entered into a Corrective Action Agreement with the Board. This Agreement requires Applicant to practice only in a practice setting pre-approved by the Board, and outlines requirements for chart review by her supervising physician.

***Liu, Michael Liang Sun, MD; MD21008; McMinnville, OR**

On April 3, 2014, Licensee entered into a Stipulated Order with the Board. This Order retires Licensee's medical license while under investigation.

***Looney, Warren Hunter, MD; LL15716; Lufkin, TX**

On April 3, 2014, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's October 12, 2006, Stipulated Order.

***Perry, Bruce Edgar, MD; MD16305; Grants Pass, OR**

On April 3, 2014, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete courses on charting and vascular assessment pre-approved by the Board.

***Robinson, Gregory Earl, MD; MD16711; Portland, OR**

On April 3, 2014, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's March 1, 2012, Stipulated Order.

***Stadlander, Sean Michael, MD; MD19575; Newberg, OR**

On April 3, 2014, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's January 13, 2011, Corrective Action Agreement.

***Stark, Allen Lytton, MD; MD15722; Lake Oswego, OR**

On April 3, 2014, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete a course in psychiatric pharmacology pre-approved by the Board and complete the CPEP remediation plan, to include establishing a relationship with an educational preceptor.

***Tabor, Mark Edward, PA; PA00726; Astoria, OR**

On April 3, 2014, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to undergo an assessment at CPEP; complete the education plan recommended by CPEP, to include a post-education evaluation; and complete courses in medical documentation and workplace communication pre-approved by the Board.

***Vajdos, Margaret Adelle, MD; MD19676; Fairview, OR**

On April 3, 2014, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete courses on prescribing and charting pre-approved by the Board; complete 20 hours of CME pre-approved by the Board; and allow for chart review of chronic pain patients by a mentor who is pre-approved by the Board.

White, Kris Ramdas, ; AC160155; Portland, OR

On April 3, 2014, the Board issued an Order Terminating Consent Agreement. This Order terminates Licensee's January 9, 2014, Consent Agreement.

***Wilson, Benjamin Raymond, MD; MD12349; Salem, OR**

On April 3, 2014, the Board issued an Order Modifying Revised Stipulated Order. This Order modifies Licensee's October 11, 2007, Order Modifying Stipulated Order.

***Wong, Charles Men, MD; MD14849; Gresham, OR**

On April 3, 2014, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; gross or repeated negligence in the practice of medicine; and prescribing a controlled substance without a legitimate medical purpose, or prescribing controlled substances without following accepted procedures for examination of patients, or prescribing controlled substances without following accepted procedures for record keeping. This Order reprimands Licensee; assesses a civil penalty of \$2,500; places Licensee on probation; requires Licensee to complete a prescribing course pre-approved by the Board; and limits Licensee's prescribing of Schedule II and III medications.

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.

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
DAVID ANKER ANDREWS, MD) STIPULATED ORDER
LICENSE NO. MD09145)

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. David Anker Andrews, MD (Licensee) holds an active license to practice medicine in the state of Oregon.

2.

On January 29, 2014, the Board issued a Complaint and Notice of Proposed Disciplinary Action to take disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(13) gross or repeated acts of negligence; ORS 677.190 (17) willfully violating any Board rule or order; ORS 677.190(23) violation of the federal Controlled Substances Act; and ORS 677.190(24) prescribing controlled substances without a legitimate medical purpose or following accepted procedures for examination of patients and record keeping.

3.

Licensee is board certified in obstetrics and gynecology. Licensee's acts and conduct that violated the Medical Practice Act are:

3.1 Licensee formerly practiced at the Hillsboro Women's Clinic, which he owned. Licensee employed two nurse practitioners, one of whom was his wife (Subject A). Licensee also employed his daughter (Subject B) as clinic manager. Subject B's employment ended at the

1 clinic as a result of criminal proceedings, which culminated in pleas of guilty in December of
2 2009, in Washington County Circuit Court, to violations of ORS 167.212, Tampering with Drug
3 Records, a Class C felony, and ORS 165.800, Identity Theft, a Class C felony. In 2009, Licensee
4 rehired Subject B as clinic manager at Hillsboro Women's Clinic. Licensee's decision to employ
5 Subject B at his clinic after her felony convictions violated 21 CFR 1301.76 and the Federal
6 Controlled Substances Act.

7 3.2 After Subject B was employed as clinic manager in 2009, she called in
8 prescriptions of controlled substances for her personal use by using the name and license
9 designation of her mother. Licensee knew, or reasonably should have known of this conduct, but
10 failed to stop the behavior or to terminate Subject B's employment. Subject B pled guilty in
11 December 2013 in Washington County Circuit Court, to four violations of ORS 167.212,
12 Tampering with Drug Records, a Class C felony and ORS 165.800, Identity Theft, a Class C
13 felony.

14 3.3 Licensee has authorized numerous prescriptions of controlled substances for a
15 family member and failed to produce chart notes for this family member, to include notes to
16 reflect that he conducted patient examinations, documented why he prescribed the medications,
17 or maintained SOAP notes. These prescriptions include testosterone (Schedule III), diazepam
18 (Valium, Schedule IV) and codeine & acetaminophen (Tylenol with codeine, Schedule III). One
19 family member for whom Licensee prescribed controlled substances was under the care of
20 another physician that was prescribing the same medications.

21 3.4 Licensee's clinic ordered a bulk supply of controlled substance medications for
22 use in the clinic. Licensee allowed these medications to be inappropriately stored at his
23 residence. When later inspected, pursuant to requests from the Board and the Drug Enforcement
24 Administration, Licensee discovered that these medications were not present. Licensee failed to
25 maintain an accurate and appropriate controlled substance log as required by OAR 847-015-
26 0015.

27 3.5 Licensee purchased 16 intrauterine devices (IUDs) from a non FDA approved
28 source from March 2011 through August 2011. The FDA has major concerns that these

1 unapproved devices pose a risk to patients in regard to safety and efficacy. Licensee provided
2 these IUDs to his patients without informing them that these were non-FDA approved, or that
3 there was a possible risk associated with them, particularly in regard to the risk of reduced
4 efficacy for preventing pregnancy. An FDA investigator visited the Licensee's clinic in May
5 2013 in regards to these IUDs. Licensee failed to notify the affected patients of the non-FDA
6 approved source for the IUDs until the Board required him to do so pursuant to the September
7 30, 2013 Interim Stipulated Order.

8 3.6 Licensee failed to secure hundreds of patient medical records in June 2013, when
9 his clinic was moved from a former location. Licensee failed to respond to a written notice from
10 the former property management company regarding these inappropriately secured medical
11 records. Licensee finally secured these medical records in November 2013 subsequent to a
12 Board request.

13 4.

14 Licensee understands that he has the right to a contested case hearing under the
15 Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and
16 finally waives the right to a contested case hearing and any appeal therefrom by the signing of
17 and entry of this Order in the Board's records. Licensee admits that he engaged in conduct that
18 violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS
19 677.188(4)(a); ORS 677.190(13) gross or repeated acts of negligence; ORS 677.190 (17)
20 willfully violating any Board rule or order; ORS 677.190(23) violation of the federal Controlled
21 Substances Act; and ORS 677.190(24) prescribing controlled substances without a legitimate
22 medical purpose or following accepted procedures for examination of patients and record
23 keeping. Licensee understands that this Order is a public record and is a disciplinary action that
24 is reportable to the National Data Bank and the Federation of State Medical Boards.

25 5.

26 In order to address the concerns of the Board and for purposes of resolving this
27 investigation, Licensee and the Board stipulate to the following terms:

28 5.1 Licensee is reprimanded.

1 5.2 Licensee must pay a civil penalty of \$5,000, payable in full within 10 months
2 from the signing of this Order by the Board Chair. Payment installments of \$500 per month are
3 due on the first of every month subsequent to the signing of the Order by the Board Chair.

4 5.3 Within six months from the signing of this Order by the Board Chair, Licensee
5 must successfully complete a course on professional boundaries that is pre-approved by the
6 Board's Medical Director.

7 5.4 Licensee is placed on probation for five years. Licensee will report in person to
8 the Board at each of its regularly scheduled quarterly meetings at the scheduled times for a
9 probationer interview unless ordered to do otherwise by the Board.

10 5.5 Licensee must not prescribe medications for his family members or for anyone
11 residing in his home.

12 5.6 Licensee may only practice medicine at a location, or within a practice setting,
13 that is pre-approved by the Board's Medical Director.

14 5.7 Licensee may not act as a supervising physician to a physician assistant, or
15 become a member of a Supervising Physician Organization.

16 5.8 The September 30, 2013, Interim Stipulated Order is terminated upon the
17 signature of the Board Chair.

18 5.9 Licensee must obey all federal and Oregon State laws and regulations pertaining
19 to the practice of medicine.

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
PETER AUGUSTO BERNARDO, MD) STIPULATED ORDER
LICENSE NO. MD17631)

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. Peter Augusto Bernardo, MD (Licensee) holds an active license to practice medicine in the state of Oregon. Licensee entered an Interim Stipulated Order with the Board on July 19, 2012, which prohibited him from performing laparoscopic colectomies and using the Visiport trocar.

2.

Licensee is a board-certified general surgeon. The Board opened an investigation regarding Licensee after receiving a report regarding a laparoscopic colectomy surgery on March 27, 2012.

On November 9, 2012, the Board issued a Complaint and Notice of Proposed Disciplinary Action, that was amended July 19, 2013, in which the Board set forth detailed factual allegations and proposed taking disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a) and (b) and ORS 677.190(13) gross or repeated negligence in the practice of medicine.

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
MATTHEW MASON BOOKWALTER, DPM) ORDER TERMINATING
LICENSE NO. DP00347) CORRECTIVE ACTION AGREEMENT
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1.

On July 9, 2009, Matthew Mason Bookwalker, DPM (Licensee) entered into a Corrective Action Agreement with the Oregon Medical Board (Board). This Agreement placed conditions on Licensee's Oregon license. On December 11, 2013, Licensee submitted documentation that he has successfully completed all terms of this Agreement and requested that this Agreement be terminated.

2.

The Board has reviewed the documentation submitted by Licensee and has determined that Licensee has successfully complied with all of the terms of this Agreement. The Board terminates the July 9, 2009, Corrective Action Agreement, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 3 day of April, 2014.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

DONALD GIRARD, MD
Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
BENJAMIN FREDERICK BRANCH, DO) ORDER TERMINATING STIPULATED
LICENSE NO. DO29119) ORDER
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1.

On July 12, 2012, Benjamin Frederick Branch, DO (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed conditions on Licensee's Oregon medical license. On December 4, 2013, Licensee submitted a written request to terminate this Order.

2.

Having fully considered Licensee's request and his successful compliance with the terms of this Order, the Board terminates the July 12, 2012, Stipulated Order, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 3 day of April, 2014.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

DONALD GIRARD, MD
Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
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FLOYD DOUGLAS DAY, MD) ORDER TERMINATING STIPULATED
LICENSE NO. MD05881) ORDER
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1.

On January 13, 2005, Floyd Douglas Day, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed conditions on Licensee's Oregon medical license. On December 30, 2013, Licensee submitted a written request to terminate this Order.

2.

Having fully considered Licensee's request and his successful compliance with the terms of this Order, the Board terminates the January 13, 2005, Stipulated Order, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 3 day of April, 2014.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

DONALD GIRARD, MD
Board Chair

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4.

In order to address the concerns of the Board and for purposes of resolving this investigation, Licensee and the Board agree to the following terms:

4.1 Within six months from the signing of this Agreement by the Board Chair, Licensee must successfully complete a course in professional ethics that is pre-approved by the Board's Medical Director. All costs associated with this course must be paid by Licensee.

4.2 Licensee must obey all federal and Oregon State laws and regulations pertaining to the practice of medicine.

4.3 Licensee agrees that any violation of the terms of this Agreement constitutes grounds to take disciplinary action under ORS 677.190(17).

IT IS SO AGREED THIS 10 day of February, 2014.

SIGNATURE REDACTED

JOSEPHINE MARIE FITZSIMONS, MD

IT IS SO AGREED THIS 3 day of April, 2014.

OREGON MEDICAL BOARD

SIGNATURE REDACTED

DONALD GIRARD, MD
BOARD CHAIR

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
WINN HARRISON GREGORY, MD)
LICENSE NO. MD22728) CORRECTIVE ACTION AGREEMENT
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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. Winn Harrison Gregory, MD (Licensee) is a licensed physician in the state of Oregon.

2.

On April 5, 2013, the Board issued a Complaint and Notice of Proposed Disciplinary Action in regards to Licensee. In this document, the Board proposed to take disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a); and ORS 677.190(13) gross or repeated acts of negligence.

3.

As part of the Board's investigation, Licensee agreed to undergo an assessment at the Center for Personalized Education for Physicians (CPEP). The CPEP Assessment Report, dated December 10, 2013, stated that Licensee "demonstrated medical knowledge that was overall adequate, but at times outdated or with significant gaps." The report identified certain educational needs, and recommended that Licensee participate in a brief, structured, individualized education plan, that would include establishing a relationship with an experienced

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1 educational preceptor in general surgery, to engage in continuing medical education and self-
2 study, and to work with a preceptor to achieve more consistent documentation.

3 4.

4 In regard to the above-referenced matter, Licensee and the Board desire to settle this
5 matter by entry of this agreement. Licensee understands that he has the right to a contested case
6 hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes.
7 Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom
8 by the signing of and entry of this agreement in the Board's records. The Board agrees to close
9 the current investigation and makes no finding in regard to any violation of the Medical Practice
10 Act. This agreement is a public document and is not a disciplinary action, but is reportable to the
11 National Data Bank and the Federation of State Medical Boards.

12 5.

13 5.1 Within six months from the signing of this Agreement by the Board Chair,
14 Licensee must successfully complete a course on charting that is pre-approved by the Board's
15 Medical Director.

16 5.2 Licensee must ask CPEP to prepare an Education Plan to implement the
17 educational needs identified in the CPEP Report. After presenting this plan to the Board's
18 Medical Director for review and approval, Licensee must within 18 months after approval by the
19 Board's Medical Director, successfully complete the recommended CPEP Education Plan at
20 Licensee's expense.

21 5.3 Licensee must fully cooperate with the CPEP education plan and must sign all
22 necessary releases to allow full and complete communication between CPEP and the Board.
23 Licensee must ensure that all CPEP reports concerning Licensee, to include the final written
24 report, are provided directly from CPEP to the Board.

25 5.4 Licensee must remain under the continuing care of a treating healthcare provider
26 that is pre-approved by the Board's Medical Director. This provider will submit twice yearly
27 reports to the Board.

4.

In order to address the concerns of the Board and for purposes of resolving this investigation, Licensee and the Board agree to the following terms:

4.1 Licensee may only practice medicine in a health care setting pre-approved by the Board's Medical Director.

4.2 Licensee is subject to no-notice audits by the Board's designee(s) at any location where he practices medicine.

4.3 Licensee agrees to continue his on-going relationships with all health care providers, who will submit quarterly reports to the Board.

4.4 Licensee must obey all federal and Oregon State laws and regulations pertaining to the practice of medicine.

4.5 Licensee's Interim Stipulated Order of May 2, 2013 will terminate on the date that this Agreement is signed by the Board Chair.

4.6 Licensee agrees that any violation of the terms of this Agreement constitutes grounds to take disciplinary action under ORS 677.190(17).

IT IS SO AGREED THIS 8 day of January, 2014.

SIGNATURE REDACTED
VINCENT EDWARD HANSEN, MD

IT IS SO AGREED THIS 3 day of April, 2014.

OREGON MEDICAL BOARD
SIGNATURE REDACTED
DONALD E GIRARD, MD
BOARD CHAIR

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
MONICA HSU, MD)
LICENSE NO. MD155319) CORRECTIVE ACTION AGREEMENT
)

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. Monica Hsu, MD (Licensee) is a licensed physician in the state of Oregon with an inactive license status.

2.

Licensee was initially licensed to practice medicine in the State of Oregon in 2011. Licensee practices obstetrics and gynecology and is not board certified. The Board opened an investigation after her clinical privileges were revoked at Tuality Community Hospital in 2013. On January 28, 2014, the Board issued a Complaint and Notice of Proposed Disciplinary Action against Licensee for alleged violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a); and ORS 677.190(13) gross or repeated negligence in the practice of medicine.

3.

In regard to the above-referenced matter, Licensee and the Board desire to settle this matter by entry of this agreement. Licensee understands that she has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this agreement in the Board's records. The Board agrees to close the current investigation and makes no finding in regard to any violation of the Medical Practice

1 Act. This agreement is a public document and is not a disciplinary action, but is reportable to the
2 National Data Bank and the Federation of State Medical Boards.

3 4.

4 In order to address the concerns of the Board and for purposes of resolving this
5 investigation, Licensee and the Board agree to the following terms:

6 4.1 Within two months from the signing of this Agreement by the Board Chair,
7 Licensee must submit the name of one to three physicians who are board certified in obstetrics
8 and gynecology, for approval to serve as her proctors and mentors at her current practice location
9 at the University of Oklahoma College of Medicine or at another practice location that is pre-
10 approved by the Board's Medical Director.

11 4.2 For a minimum of six months after being approved, the proctors/mentors will
12 conduct chart reviews with Licensee of at least 20 % of her charts of obstetrical deliveries and
13 gynecologic surgeries, to address care issues, as well as Licensee's pre-operative selection and
14 post-operative management of patients. In addition, the proctor/mentor will evaluate Licensee's
15 clinical skills and surgical competence by observing and assisting in a minimum of 30 obstetric
16 cases and 15 gynecology cases assigned to Licensee as lead physician. After having observed
17 and assisted in the specified number of cases, the proctor/mentor will submit a comprehensive
18 evaluation report to the Board that assesses her clinical judgment and surgical skills, to include a
19 recommendation as to whether Licensee has demonstrated the ability and clinical practice skills
20 to practice medicine in her specialty without a proctor and mentor.

21 4.3 Licensee must become board certified in obstetrics and gynecology within 24
22 months of the effective date of this Agreement.

23 4.4 Licensee must obey all federal and state laws and regulations pertaining to the
24 practice of medicine.

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
KATHLEEN MARIE KLEINERT, DO) INTERIM STIPULATED ORDER
LICENSE NO. DO153515)
)
1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain healthcare providers, including physicians, in the state of Oregon. Kathleen Marie Kleinert, DO (Licensee) is a licensed osteopathic physician in the state of Oregon.

2.

The Board received credible information regarding Licensee that resulted in the Board initiating an investigation. On March 5, 2013, Licensee entered into an Interim Stipulated Order with the Board in which she agreed to refrain from providing obstetrical care and to cease prescribing or dispensing controlled substances. On August 8, 2013, the Board issued a Complaint and Notice of Proposed Disciplinary Action. On August 22, 2013, Licensee requested a contested case hearing. A hearing has been scheduled. The Board now believes it necessary that Licensee agree to cease the practice of medicine until the disciplinary process is completed.

3.

In order to address the concerns of the Board, Licensee and the Board agree to enter into this Interim Stipulated Order, which provides that Licensee shall comply with the following conditions effective the date this Order is signed by Licensee:

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
ASHLEY ELLEN LIENHARDT, PA)
APPLICANT) CORRECTIVE ACTION AGREEMENT
)

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physician assistants, in the state of Oregon. Ashley Ellen Lienhardt, PA (Applicant) is a physician assistant and has applied for licensure in the state of Oregon.

2.

Applicant graduated from the University of Wisconsin in May of 2009 and began to practice as a physician assistant at Divine Savior Healthcare in Wisconsin in July of 2009. Applicant received a warning at Divine Savior Healthcare for late charting in February of 2011. Applicant subsequently moved to Madison, Wisconsin, and worked at the University of Wisconsin Medical Foundation in Middleton, Wisconsin. Applicant was terminated from this employment on February 22, 2013, due to unsatisfactory performance related to timely patient care documentation. She subsequently worked in a seasonal physician assistant position at the Family Health/La Clinica in Wautoma, Wisconsin, with no adverse reports. Applicant most recently worked as a physician assistant at the Mercy Health System in Wisconsin, with no adverse reports. Applicant has maintained her certification with the National Commission on Certification of Physician Assistants (NCCPA).

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3.

In regard to the above-referenced matter, Applicant and the Board desire to settle this matter by entry of this agreement. Applicant understands that she has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Applicant fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this agreement in the Board's records. The Board agrees to close the current investigation and makes no finding in regard to any violation of the Medical Practice Act. This agreement is a public document, is not a disciplinary action, and is not reportable to the National Data Bank, but will be reported to the Federation of State Medical Boards.

4.

In order to address the concerns of the Board and for purposes of resolving this investigation, Applicant and the Board agree that the Board will grant Applicant a license to practice as a physician assistant in the State of Oregon, subject to the following terms:

4.1 Applicant may only practice medicine as a physician assistant at a practice setting that is pre-approved by the Board's Medical Director.

4.2 Applicant may only practice pursuant to the terms of a practice agreement that requires a 100% chart review by Applicant's supervising physician (or supervising physician organization) for a minimum of 3 months. At the end of this time, the supervising physician (or supervising physician organization) may submit to the Board's Medical Director a written request to reduce the number of charts to be reviewed to 50%. This request must include a report that assesses the quality and timeliness of Applicant's charting. After the lapse of another 3 months, the supervising physician (or supervising physician organization) may submit a request to terminate this Agreement in its entirety. This request must include a report that assesses the quality and timeliness of Applicant's charting.

4.3 Applicant must obey all federal and Oregon state laws and regulations pertaining to the practice of medicine.

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
MICHAEL LIANG SUN LIU)
LICENSE NO. MD21008) STIPULATED ORDER

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 Liang Sun Liu, MD (Licensee) is a licensed physician in the state of Oregon.

2.

On December 20, 2012, the Board opened an investigation regarding Licensee's care of multiple patients.

3.

Licensee and the Board agree to close this investigation with this Stipulated Order in which Licensee agrees to retire 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. By entering into this Order, the Licensee understands that although the Board makes no finding at this time as to whether his conduct violated the Medical Practice Act, this document is a public record and is reportable to the National Data Bank and the Federation of State Medical Boards.

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4.

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

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

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

4.3 In the event Licensee should submit an application for reactivation of his medical license, Licensee understands that the Board will reopen this investigation.

4.4 Licensee stipulates and agrees that any violation of the terms of this Order would be grounds for further disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED this 19 day of February, 2014.

SIGNATURE REDACTED

MICHAEL LIANG SUN LIU, MD

IT IS SO ORDERED this 3 day of April, 2014.

OREGON MEDICAL BOARD

SIGNATURE REDACTED

DONALD GIRARD, MD
BOARD CHAIR

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
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WARREN HUNTER LOONEY, MD) ORDER TERMINATING
LICENSE NO. LL15716) STIPULATED ORDER
)

1.

On October 12, 2006, Warren Hunter Looney, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). On January 30, 2014, Licensee submitted a written request to terminate this Order.

2.

Having fully considered Licensee's request, the Board terminates the October 12, 2006, Stipulated Order, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 3 day of April, 2014.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

DONALD GIRARD, MD
Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
GREGORY EARL ROBINSON, MD) ORDER TERMINATING
LICENSE NO. MD16711) STIPULATED ORDER
)

1.

On March 1, 2012, Gregory Earl Robinson, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed conditions on Licensee's Oregon medical license. On January 14, 2014, Licensee submitted a written request to terminate this Order.

2.

Having fully considered Licensee's request and his successful compliance with the terms of this Order, the Board terminates the March 1, 2012, Stipulated Order, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 3 day of April, 2014.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

DONALD GIRARD, MD
Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
SEAN MICHAEL STADTLANDER, MD) ORDER TERMINATING
LICENSE NO. MD19575) CORRECTIVE ACTION AGREEMENT
)

1.

On January 13, 2011, Sean Michael Stadlander, MD (Licensee) entered into a Corrective Action Agreement with the Oregon Medical Board (Board). This Agreement placed conditions on Licensee's Oregon license. On December 17, 2013, Licensee submitted documentation that he has successfully completed all terms of this Agreement and requested that this Agreement be terminated.

2.

The Board has reviewed the documentation submitted by Licensee and has determined that Licensee has successfully complied with all of the terms of this Agreement. The Board terminates the January 13, 2011, Corrective Action Agreement, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 3 day of April, 2014.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

DONALD E. GIRARD, MD
Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
ALLEN LYTTON STARK, MD) CORRECTIVE ACTION AGREEMENT
LICENSE NO. MD15722)
)

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. Allen Lytton Stark, MD (Licensee) holds an active license to practice medicine in the state of Oregon.

2.

Licensee is a board certified psychiatrist that came under investigation by the Board. During the course of the Board's investigation, Licensee voluntarily underwent an evaluation at the Center for Personalized Education for Physicians (CPEP). On January 9, 2013, the Board voted to issue a Complaint and Notice of Proposed Disciplinary Action with proposed sanctions, to include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(13) gross or repeated acts of negligence; and ORS 677.190(24).

3.

In regard to the above-referenced matter, Licensee and the Board desire to settle this matter by entry of this agreement. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this agreement in the Board's records. The Board agrees to close

1 the current investigation and does not make a finding in regard to any violation of the Medical
2 Practice Act. This agreement is a public document; however, it is not a disciplinary action but is
3 reportable to the National Data Bank and the Federation of State Medical Boards.

4 4.

5 In order to address the concerns of the Board and for purposes of resolving this
6 investigation, Licensee and the Board agree to the following terms:

7 4.1 Within six months from the signing of this Agreement by the Board Chair,
8 Licensee must successfully complete a course in psychiatric pharmacology that is pre-approved
9 by the Board's Medical Director.

10 4.2 Within 18 months, Licensee must complete the CPEP education remediation plan,
11 to include establishing a relationship with an experienced educational preceptor approved and
12 appointed by CPEP. Any and all costs associated with the remediation plan will be borne by
13 Licensee. Licensee must sign all necessary releases to allow communication and the exchange
14 of documents, between the Board and CPEP, to include all CPEP reports.

15 4.3 Licensee must obey all federal and Oregon State laws and regulations pertaining
16 to the practice of medicine.

17 4.4 Licensee agrees that any violation of the terms of this Agreement constitutes
18 grounds to take disciplinary action under ORS 677.190(17).

19 IT IS SO AGREED THIS 12th day of Feb., 2014.

20 SIGNATURE REDACTED

21 ALLEN LYTTON STARK, MD

22 IT IS SO AGREED THIS 3 day of April, 2014.

23
24 OREGON MEDICAL BOARD
25 State of Oregon

26 SIGNATURE REDACTED

27 DONALD GIRARD, MD
BOARD CHAIR

1 action but is a public record that is reportable to the National Data Bank and the Federation of State
2 Medical Boards. This Agreement becomes effective the date it is signed by the Board Chair.

3 4.

4 In order to address the concerns of the Board and for purposes of resolving this investigation,
5 Licensee and the Board agree to the following terms:

6 4.1 Within 30 days from the approval of this Agreement, Licensee must sign an agreement
7 with the Center for Personalized Education for Physicians (CPEP), to undergo an evaluation of his
8 clinical skills and medical knowledge.

9 4.2 Licensee must successfully complete the CPEP evaluation within 180 days from the date
10 this Agreement is signed by the Board Chair. Licensee will fully cooperate with the CPEP evaluation
11 process and shall sign all necessary releases to allow full and complete communication between CPEP
12 and the Board. Licensee will ensure that all CPEP reports concerning Licensee, to include the final
13 written evaluation report, are provided directly from CPEP to the Board. The final written evaluation
14 report shall include an assessment of Licensee's medical knowledge, clinical judgment, his progress in
15 addressing his identified deficiencies, and his ability and willingness to practice safely and
16 competently, as well as any recommendations. Licensee shall pay for all costs associated with the
17 CPEP evaluation and any subsequent remediation or education plan, to include travels to Colorado,
18 mentoring costs, and CPEP fees.

19 4.3 Licensee must timely and successfully complete the recommended CPEP Education or
20 Remediation Plan, if any, at Licensee's expense. This plan must be reviewed and approved by the
21 Board's Medical Director prior to implementation.

22 4.4 Licensee must timely and successfully complete the recommended CPEP Education or
23 Remediation Plan, including any "Post-Education Evaluation," within 18 months from the date the
24 CPEP Education Program is approved by the Board's Medical Director.

25 4.5 Licensee must successfully complete a medical documentation course and a patient and
26 workplace communication course that have been pre-approved by the Board's Medical Director no later

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1 than 60 days from the date of receiving the CPEP evaluation report. All costs associated with these
2 courses will be borne by the Licensee.

3 4.6 Licensee must obey all federal and Oregon laws and regulations pertaining to the
4 practice of medicine.

5 4.7 Licensee stipulates and agrees that any violation of the terms of this Agreement
6 constitute grounds for further disciplinary action under ORS 677.190(17).

7
8 IT IS SO AGREED THIS 13 day of March, 2014.

9 SIGNATURE REDACTED

10 MARK EDWARD TABOR, PA

11
12 IT IS SO AGREED THIS 3 day of April, 2014.

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14 OREGON MEDICAL BOARD
15 State of Oregon

16 SIGNATURE REDACTED

17 DONALD GIRARD, MD
18 Board Chair
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1 Act. This agreement is a public document and is not a disciplinary action, but is reportable to the
2 National Data Bank and the Federation of State Medical Boards.

3 4.

4 In order to address the concerns of the Board and for purposes of resolving this
5 investigation, Licensee and the Board agree to the following terms:

6 4.1 Within six months from the signing of this Agreement by the Board Chair,
7 Licensee must successfully complete a course on charting and a course on prescribing that are
8 pre-approved by the Board's Medical Director.

9 4.2 Licensee must complete 20 hours of CME, pre-approved by the Board's Medical
10 Director, within 12 months of completing the prescribing course.

11 4.3 Licensee's charts of chronic pain patients are subject to ongoing chart review by a
12 mentor who is pre-approved by the Board's Medical Director. For the purposes of this
13 agreement chronic pain is defined as treatment for pain that exceeds 30 days in duration.
14 Licensee must meet with her mentor at least twice every month for review of charts involving
15 chronic pain cases. During these reviews, both Licensee and her mentor must have the charts
16 available for review. Licensee's mentor will submit quarterly written reports to the Board.

17 4.4 After 12 months of compliance with the terms of this Order, Licensee may (with
18 an endorsement from her mentor) submit a written request to modify or terminate the terms of
19 this Order.

20 4.5 Licensee must obey all federal and Oregon state laws and regulations pertaining
21 to the practice of medicine.

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1 Order and October 11, 2007, Order Modifying Stipulated Order, are unchanged and remain in
2 full force and effect.

3
4 IT IS SO ORDERED this 3 day of April, 2014.

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6 OREGON MEDICAL BOARD
7 State of Oregon

8 SIGNATURE REDACTED

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10 DONALD GIRARD, MD
11 Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
CHARLES MEN WONG, MD) STIPULATED ORDER
LICENSE NO MD14849)
)

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. Charles Men Wong, MD (Licensee) is a licensed physician in the state of Oregon.

2.

On January 9, 2014, the Board issued a Complaint and Notice of Proposed Disciplinary Action to take disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a \$10,000 civil penalty, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a); ORS 677.190(13) gross or repeated negligence in the practice of medicine; and ORS 677.190(24) prescribing a controlled substance without a legitimate medical purpose, or prescribing controlled substances without following accepted procedures for examination of patients, or prescribing controlled substances without following accepted procedures for record keeping.

3.

Licensee is a Board-certified internist who practices at Northwest Urgent Care. Licensee's acts and conduct that violated the Medical Practice Act are:

3.1 The Board conducted a review of charts for patients (A – F) that Licensee has treated for chronic pain. This review reveals a pattern of practice that failed to conform to

1 established guidelines in the diagnosis and treatment of chronic pain, to include consistently
2 failing to enter into written opioid treatment agreements (pain contract) with his patients, failing
3 to conduct random urine drug screens (UDS), and failing to provide his patients with written
4 material risk notifications. Specific concerns in which Licensee's acts and conduct violated the
5 Medical Practice Act follow:

6 3.2 Patient A, a 37-year-old woman with a chief complaint of chronic pain, and a
7 history of smoking, type 1 diabetes and chronic pancreatitis, initially presented to Licensee on
8 January 6, 2013. Her list of current medications included oxycodone HCL (Schedule II), 30 mg,
9 2 tablets every 6 to 8 hours for pain. Licensee referred Patient A to be seen by a
10 gastroenterologist and a chronic pain management specialist, who saw her on February 6, 2013.
11 This specialist developed a treatment plan, finding that Patient A was "too high risk for chronic
12 opioids," recommended inpatient detoxification, and "would not recommend long term opioids."
13 Nevertheless, Patient A returned to the urgent care clinic and presented to Licensee on about a
14 weekly basis in February and March of 2013, and Licensee ordered successive refills for
15 oxycodone HCL, 30 mg, 1 tablet up to 7 times a day for pain.

16 3.3 Patient B, a 51-year-old female, came under Licensee's care in May of 2011, with
17 a history of chronic knee, hip and neck injuries and ACL repair to both the right and left knee.
18 Her medication list included oxycodone HCL, 15 mg, 1 tablet up to 9 every 24 hours; and
19 hydrocodone & acetaminophen 10-325mg (Norco, Schedule III), 1 tablet up to 7 times daily.
20 She reported drinking alcohol 5-6 drinks each weekend (a contraindication to opioid therapy).
21 Licensee did not address Patient B's alcohol use and lack of demonstrated improvement in
22 function and pain levels. On May 2, 2011, Licensee refilled Patient B's prescriptions for
23 oxycodone HCL, 15 mg, 1 tablet up to 9 times daily as well as Norco 10-325 mg, 1 tablet up to 7
24 times daily. Licensee continued to prescribe controlled substances for Patient B in 2012 and into
25 2013. On March 5, 2013, Licensee ordered refill prescriptions for oxycodone HCL, 15 mg, 1
26 tablet 6 times daily #180; Norco 10-325 mg, 1 tablet up to 6 times daily #180; 10 mg diazepam
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1 (Valium, Schedule IV), 1 – 2 tablets daily, #60; and tramadol HCL 50 mg, 1 tablet four times a
2 day, #120.

3 3.4 Patient C, a 41-year-old male, presented to Licensee on March 11, 2013, with
4 complaints of abdominal pain, and a history of a colostomy due to a gunshot wound. Licensee
5 conducted an examination and found some mild tenderness in the left abdomen. Licensee noted
6 chronic pain due to trauma, and authorized medication refills for oxycodone & acetaminophen
7 (Percocet, Schedule II), 7.5 – 325 mg, 1 - 2 tablets every 4 - 6 hours, up to 6 times daily, #180;
8 and lorazepam 1 mg (Ativan, Schedule IV), 1 tablet three times a day, #90. Licensee failed to
9 consider or address the risk that the combination of an opioid with a benzodiazepine posed to this
10 patient.

11 3.5 Licensee prescribed a combination of opioids (oxycodone) and a benzodiazepine
12 (lorazepam) for Patient D, a 59-year-old female, on a recurring basis in 2012 and 2013, and
13 authorized early refills, but failed to consider or address the risk that the combination of an
14 opioid with a benzodiazepine posed to this patient, or to address the repeated requests by this
15 patient for early refills.

16 3.6 Licensee prescribed a combination of opioids (Percocet), 7.5 – 325 mg, 1 tablet
17 up to 5 times per day, alprazolam (Xanax, Schedule IV), a benzodiazepine, 1 mg tablet, 1 tablet
18 once a day, and zolpidem (Ambien, Schedule IV), 10 mg, 1 tablet every night as needed for
19 insomnia, for Patient F, a 34-year-old woman, on a recurring basis in 2012 and 2013. The
20 dosages for zolpidem, taken in combination with the other controlled substances, were excessive
21 and not medically indicated. Licensee failed to consider or address the risk that the combination
22 of an opioid with a benzodiazepine posed to this patient, or that adding zolpidem to the
23 medication regimen would pose an increased risk of over-sedation.

24 3.7 Patient G, a 34-year-old male construction worker, initially presented to
25 Northwest Urgent Care for chiropractic care and physical therapy in August, 2012, with
26 complaints of low back pain, attributed to a work injury dating to August 11, 2012. Patient G
27 initially presented to Licensee on September 4, 2012, and complained of shooting pains in his

1 legs. Licensee diagnosed lumber and thoracic strain, and prescribed cyclobenzaprine (Flexeril),
2 10 mg, 1 tablet twice a day, and refilled a prescription for hydrocodone & acetaminophen
3 (Vicodin, Schedule III), 7.5 – 500 mg, 1-2 tablets, every 6 -8 hours. The chart for September 11,
4 2012, reflects Patient G reported that he was a current smoker and drinks alcohol. Also, a
5 previously ordered MRI showed a displaced lumbar disk. The chart for September 25, 2012,
6 reflects that Licensee was taking a combination of medications, to include Norco, 10-325 mg, 1-
7 2 every 6 hours as needed, and Flexeril, 10 mg, 1 tablet twice a day. On December 18, 2012,
8 Patient G presented to Licensee, and reported that he was doing better on light duty. He reported
9 not taking any pain medications for two days without ill effect. On January 14, 2013, Licensee
10 noted that Patient G had a negative UDS for opiates, but indicated that “he had run out a few
11 days before the visit.” Licensee did not address these red flags for either diversion or deviations
12 from the treatment plan. At this time, Licensee was prescribing Norco, 10-325 mg, 1 – 2 tablets
13 every 6 hours, oxycodone HCL, 10 mg, 1 – 2 tablets for sleep, and Flexeril, 10 mg, 1 tablet twice
14 a day. In contrast to the other cases that have been reviewed, a pain contract was mentioned in
15 the chart as having been prepared, and there are references to UDS.

16 4.

17 Licensee understands that he has the right to a contested case hearing under the
18 Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and
19 finally waives the right to a contested case hearing and any appeal therefrom by the signing of
20 and entry of this Order in the Board’s records. Licensee neither admits nor denies, but the Board
21 finds that he engaged in conduct that violated ORS 677.190(1)(a), as defined by ORS
22 677.188(4)(a); ORS 677.190(13); and ORS 677.190(24). Licensee understands that this Order is
23 a public record and is a disciplinary action that is reportable to the National Data Bank and the
24 Federation of State Medical Boards.

25 5.

26 In order to address the concerns of the Board and for purposes of resolving this
27 investigation, Licensee and the Board agree to the following terms:

