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BEFORE THE
BOARD OF NATUROPATHIC EXAMINERS
STATE OF OREGON

In the Matter of:

Case No. N01-11-06

ELIZABETH W. COLLINS, N.D.,

SETTLEMENT AGREEMENT

Licensee.

The Board of Naturopathic Examiners of the State of Oregon (Board) and Elizabeth W. Collins, N.D. do hereby agree and stipulate as follows:

1. A Notice of Proposed Disciplinary Action of License has been served on Dr. Collins.
2. The Board and Dr. Collins are willing to settle this matter.
3. Dr. Collins agrees that she is subject to discipline by the Board pursuant to ORS 685.110.
4. The Board and Dr. Collins agree that the Board will impose a two-year license limitation and a two-year period of probation to run concurrently.
5. The limitation requires that Licensee cannot perform or participate in any natural childbirth, after 36 weeks of gestation, or after the onset of labor, whichever comes first, without the supervision of a Board approved natural childbirth certified N.D. with a minimum five-years of continuous experience in childbirths, during the limitation period.
6. "Childbirth" means, for purposes of this agreement, as longer than eight hours from the onset of labor or mother's dilation of five centimeters, whichever comes first.
7. The Board approves ~~Edward Hoffman~~ ^{Edwin Hofmann} Smith, N.D. as Dr. Collins' supervisor.
 - a) The Board may approve a supervisor other than Dr. Smith if that person is a natural childbirth certified N.D. with a minimum of five years of continuous experience in natural childbirths.
 - b) The Board approves as supervisors:
 - i) Mary Grabowska, N.D.
 - ii) Katherine Zeiman, N.D.

1 iii) Regina Lellman, N.D.

2 iv) ^{Nora}~~Norman~~ Fallman, N.D.

3 c) The name of the supervising naturopathic physician must be provided to
4 the Board prior to the childbirth for which the supervisor will attend.

5 8. The conditions of the probation are:

6 a) Dr. Collins must provide proof that a minimum of 20 childbirths were
7 performed by Dr. Collins under supervision.

8 b) After each supervised childbirth, the supervisor shall complete a Birth
9 Evaluation Form. The Board shall provide the Birth Evaluation Form to the
10 supervisor.

11 c) Six supervised childbirths performed under the supervision of Dr. ^{Jennifer}~~Jane~~
12 Gibbons, after the effective date of the Consent Order on March 14, 2002,
13 may be credited towards the 20 supervised childbirths, upon condition that a
14 Birth Evaluation Form is completed by the Dr. Gibbons and submitted to the
15 Board.

16 d) Three childbirths resulting in transport after March 14, 200, will be credited
17 upon condition that those childbirths include information regarding the
18 decision to and timing of the transport and submission of a Birth Evaluation
19 Form.

20 e) Dr. Collins' natural childbirth patient chart notes will be subject to random
21 review by the Board.

22 9. Dr. Collins agrees to show proof of 15 hours of Board approved continuing
23 education (CE) in the management of labor and delivery during the period of probation.

24 a) The Board approves CE course "Crisis-OB and Advanced Fetal Monitoring."

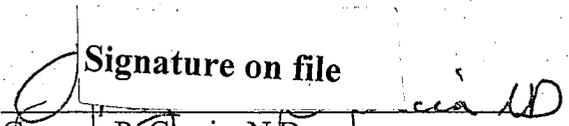
25 10. The limitation and probation begin on the date that the Board signs the Final
26 Order.

1 11. The limitation and probation may terminate before two years if Dr. Collins has
2 performed 20 supervised childbirths pursuant to paragraphs 5 through 9 and completion of the 15
3 hours of CE. Conversely, the probation may be extended beyond two years if Dr. Collins has not
4 performed 20 supervised childbirths pursuant to paragraphs 5 through 9 and completed the 15
5 hours of CE.

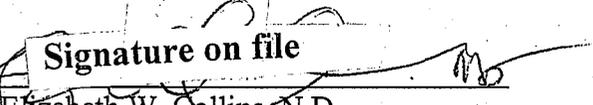
6 12. Any costs incurred during the limitation and probation period are the
7 responsibility of Dr. Collins.

8 13. Dr. Collins waives all rights to a contested case hearing or any further appeal.

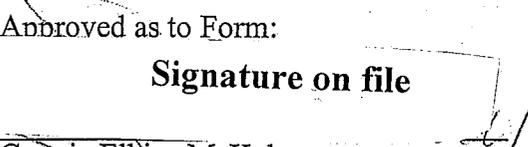
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Signature on file

Gregory P. Garcia, N.D.
Chair, Board of Naturopathic Examiners

10-7-02
Date

Signature on file

Elizabeth W. Collins, N.D.

10/02/2002
Date

Approved as to Form:
Signature on file

Connie Elkins McKelvey
Attorney for Dr. Elizabeth W. Collins

6.

During the period of active labor, Licensee failed to properly monitor vital signs of JS.

a) Blood pressure: No blood pressure was taken by Licensee for approximately 28 hours after onset of active labor:

1) JS had a pre-natal risk factor of elevated blood pressure.

2) When blood pressure was taken of JS, it was 160/84, which was high on the systolic side, and blood pressure should have been obtained approximately every two hours during active labor.

b) Pulse: Licensee failed to take maternal pulse during active labor and did not obtain maternal pulse until JS was transported to the hospital, approximately 30 hours after the onset of active labor.

c) Temperature: maternal temperature was never taken during active labor;

1) Maternal temperature should have been taken during active labor because JS had a risk factor for development of sepsis based upon a pre-natal positive test for beta-strep.

7.

Licensee failed to properly assess the baby for Cephalopelvic Disproportion in light of the length of time JS was in active labor and that the baby was post-due.

8.

Without a physician being present, Licensee sent an unlicensed student to assess JS and assess the well being of the fetus after active labor had commenced on or about November 10, 2001.

9.

Licensee failed to properly monitor fetal heart tones of JS during active labor.

a) Licensee did not check fetal tones for a period of up to four (4) hours during active labor.

///

1 10.

2 Licensee failed to transport JS to the hospital when Licensee observed merconium in the
3 ruptured membrane of JS after approximately thirty-eight (38) hours of active labor.

4 11.

5 Despite risk factors, stated in paragraphs 7 through 11, showing JS as a high risk birth,
6 requiring hospitalization, Licensee permitted JS to decide when to transport to the hospital.

7 12.

8 Given the totality of the risk factors, stated in paragraphs 7 through 11 for an
9 unsuccessful home birth, Licensee failed to timely transport JS to the hospital.

10 13.

11 Paragraphs 7 through 11 establish that Licensee violated ORS 685.110(8) and ORS
12 685.110(15). Pursuant to ORS 685.110, the Board proposes a two-year license limitation and a
13 two-year period of probation, to run concurrently. The two-year license limitation and probation
14 will begin on the date that the final order is signed by the Board.

15 14.

16 The limitation requires that Licensee cannot perform or participate in any natural
17 childbirth, after 40 weeks of gestation, or, after the onset of labor, whichever comes first, without
18 the supervision of a Board approved natural childbirth certified N.D. with a minimum five years
19 of continuous experience in natural childbirths, during the limitation two-year period.

20 15.

21 The conditions of probation are that Licensee is required to show proof of 15 hours of
22 Board approved continuing education in the management of labor and delivery during the period
23 of probation;

24 a) Licensee's natural childbirth patient chart notes will be subject to random review
25 by the Board;

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19.

The answer shall be made in writing to the Board and shall include an admission or denial of each factual matter alleged in this Notice, and a short plain statement of each relevant affirmative defense Licensee may have. Except for good cause, factual matters alleged in this notice and not denied in the answer shall be presumed admitted; failure to raise a particular defense in the answer will be considered a waiver of such defense; and new matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency and evidence shall not be taken on any issue not raised in the Notice and answer.

20.

If Licensee fails to request a hearing within 21 days, or fails to appear as scheduled at the hearing, the Board may issue a final order by default and impose the above sanctions against Licensee. Upon default order of the Board or failure to appear, the contents of the Board's file regarding the subject of this case automatically becomes part of the evidentiary record of this disciplinary action for the purpose of proving a prima facie case. ORS 183.415(6).

DATED this 1st day of July, 2002.

BOARD OF NATUROPATHIC EXAMINERS
State of Oregon
Signature on file
By: Anne Walsh, Executive Director



Oregon

Theodore R. Kulongoski, Governor

Board of Naturopathic Examiners

800 NE Oregon St., Suite 407

Portland, OR 97232

(503) 731-4045

www.obne.state.or.us

April 8, 2003

Elizabeth Collins, ND
10360 NE Wasco St.
Portland, OR 97220

Re: Case No. N01-11-06 – Closed

Dear Dr. Collins:

Thank you for rearranging your schedule to meet with the Board yesterday April 7, 2003.

As you know, the Board is in full agreement that the terms of your Settlement Agreement, signed with the Board October 7, 2002, have been satisfied.

The Board agrees that the terms of the Settlement Agreement have been met and that you are released from further restrictions of the two-year license limitation and two-year probation, effective April 7, 2003. This case is considered closed.

Thank you for your cooperation throughout this process. Please feel free to contact me if I can be of further assistance. Wishing you the best in the future with your new family.

Sincerely,


Signature on file

Anne Walsh
Executive Director