

Oregon Board of Medical Examiners
BOARD ACTION REPORT
February 16, 2007 – March 15, 2007

The information contained in this report summarizes new interim and final actions taken by the Oregon Board of Medical Examiners between **February 16, 2007 – March 15, 2007**.

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 Orders 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 as described below.

Printed copies of the Board Orders listed below are available to the public. To obtain a printed copy of a Board Order, please complete a [service request form](#) on the Board's web site, submit it with the \$10.00 fee *per licensee* and mail to:

Oregon Board of Medical Examiners
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.

ALVAREZ, Charles Victor, MD; MD27255; Waldport, OR

Licensee entered into a Corrective Action Order with the Board on February 16, 2007. In the Order the Board agreed to grant Licensee an Oregon medical license under the following conditions: Licensee must practice under a Board approved supervising physician; Licensee's first 20 surgical cases and first 20 deliveries must be done under the presence of a Board approved proctor; Licensee may request termination of this Order after the passage of six months during which time he has demonstrated full compliance with this Order. *This Order is not a disciplinary action.*

***KEMPLE, KIP LOUIS, MD; MD10387; PORTLAND, OR**

Licensee entered into a Stipulated Order with the Board on March 8, 2007. This Order placed Licensee on five years probation with quarterly reports to the Board. Licensee will successfully complete the Physicians Evaluation Education and Renewal (PEER) program, Licensee will not participate in clinical investigations unless activity is part of a systematic program that complies with the guidelines published by the American Medical Association, complete CME in appropriate prescribing, must provide copy of this order to his employers prior to first day of work.

***REX, John Marvin, MD; MD13543; Wilsonville, OR**

Licensee entered into a Stipulated Order with the Board on March 8, 2007. In this order Licensee was placed on probation under the following terms: reprimand, fine, supervised practice setting pre-approved by the Board's Medical Director, and successfully complete the Physicians Evaluation Education Renewal program (PEER). Licensee must also enroll and complete an education remediation plan with quarterly reports to the Board.

Continued -

***STANLEY, Brice Tyler, PA; PA01027; La Pine, OR**

Licensee entered into an Interim Stipulated Order with the Board on February 26, 2007. In this Order Licensee agreed to abide by certain terms pending the conclusion of the Board's current investigation of him. This Order requires the following: Licensee may not perform osteopathic manipulation; may not perform any examination or treatment of female patients which requires them to remove any clothing, including Pap exams and breast exams; Licensee shall have a medically trained chaperone when treating female patients; Licensee shall not have intentional contact with any current or former female patients outside of the clinic and outside of the regular business hours of the clinic.

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.

1 conduct, as defined in ORS 677.188(4)(a), ORS 677.190(14) gross or repeated acts of
2 negligence; and ORS 677.190(25) prescribing controlled substances without following accepted
3 procedures for record keeping and giving notice required under ORS 677.485.

4 4.

5 Licensee and the Board desire to settle this matter by the entry of this Stipulated Order,
6 subject to the following terms of probation and conditions:

7 4.1 Licensee is placed on probation for five years and shall report in person to the
8 Board at each of its quarterly meetings at the scheduled times for a probationer interview,
9 unless otherwise directed by the Board of its Investigative Committee.

10 4.2 Licensee will enroll in the Physicians Evaluation Education and Renewal (PEER)
11 program of the Oregon Medical Association within 30 days from the date this Order is
12 signed by the Board Chair. Licensee will successfully complete PEER within 24 months
13 from the date of his enrollment in PEER. PEER will provide written evaluation and
14 progress reports to the Board and Licensee will sign all necessary consent forms to allow
15 full communication between PEER and Board staff.

16 4.3 Licensee will not participate in clinical investigations (to include any form of
17 medical research studies) unless this activity is part of a systematic program that
18 complies with the guidelines published by the American Medical Association (E-2.07,
19 Clinical Investigation).

20 4.4 Within six months from the signing of this Order by the Board Chair, Licensee
21 will enroll in and successfully complete the Appropriate Prescribing Workshop.

22 4.5 Licensee will inform and provide a copy of this order to his employers in the
23 health care field prior to reporting for his first day of work.

24 4.6 Licensee will obey all federal, state and local laws, and all rules governing the
25 practice of medicine in the state of Oregon.

26 4.7 Licensee stipulates and agrees that any deviation or violation from terms of this
27 Order shall be grounds for discipline pursuant to ORS 677.190(18).

28 ///

5.

This Order becomes effective the date it is signed by the Board Chair.

IT IS SO STIPULATED THIS 5th day of March, 2007.

Kip L. Kemple M.D.
KIP LOUIS KEMPLE, MD

IT IS SO ORDERED THIS 8 day of March, 2007.

BOARD OF MEDICAL EXAMINERS
State of Oregon

David G. Watt
DAVID G. WATT, MD
BOARD CHAIR

1 accepted indications, and prescribing hormones and steroids (to include estrogen and testosterone
2 supplements) for both male and female patients for “failure to thrive”. Specific examples of
3 these patient care concerns include the following:

4 a. Licensee prescribed HGH for Patients B, L, and M without accepted indications,
5 without medical justification, and without informing the patients of possible harmful side
6 effects and obtaining their informed consent.

7 b. Licensee prescribed triamcinolone (Kenalog) and Depo-Testosterone for Patient
8 D, an 84 year old male with a history that included a myocardial infarction and renal
9 failure. Following Patient D’s admission to Salem Hospital in December 2001 after
10 suffering a fall, Licensee prescribed AndroGel, a transcutaneous testosterone preparation
11 for him. These medications were not indicated for Patient D’s condition.

12 c. Licensee prescribed Depo-testosterone, Androgel, and steroids for Patient E, a 47
13 year old male with a history of hypertension and diabetes, following his hospital
14 admission in July 2002 with progressive cough, significant dyspnea and chest pain.
15 These medications were not indicated for Patient E’s condition.

16 d. Licensee treated Patient I, a female patient with a complex history that included
17 coronary artery disease and diabetes type 2, with over 20 medications, to include
18 Kenalog, probiotics (Lactinex and Bacid), L-arginine, glutamine powder, aspirin
19 (Ecotrin), pantoprazole (Protonix), zinc chelate and fluconazole (Diflucan). This
20 complex course of medications and supplements was directed by Licensee without
21 adequate medical justification.

22 e. Licensee ordered diagnostic studies for Patients A, C, F, I and M that were
23 unnecessary, unreliable, and not indicated for their condition.

24 3.2 On October 23, 2005, the Board ordered Licensee to undergo and complete an
25 evaluation at the Center for Personalized Education for Physicians (CPEP), a nationally
26 recognized physician assessment center, within 90 days from the date the Order was signed by
27 the Board Chair. Licensee failed to undergo the evaluation within 90 days. The Board received

1 an evaluation report in June 2006. The CPEP assessment report found that Licensee has
2 significant knowledge deficits in many areas, to include: health screening practices for colon,
3 breast or cervical cancers; the parameters for normal hematocrit and hemoglobin; current breast
4 cancer markers; categories of pulmonary effusion; inpatient management of asthma and specific
5 drug dosing; risks and side effects of steroids and common dosage regimens; parameters for
6 normal hematocrit and hemoglobin; complications of ACE inhibitors; an incomplete
7 understanding of the etiologies of pneumonia; and Licensee did not show the ability to accurately
8 interpret ECG reports. Licensee was also deficient in his medical decision-making, to include
9 showing an inconsistent ability to discern and accurately diagnose a patient's condition and to
10 subsequently develop a treatment plan commensurate with the patient's condition. Concurrent
11 with this, Licensee was further noted to omit common serious causes, and to include conditions
12 that would not likely cause the symptom under consideration. Overall, Licensee displayed broad
13 but superficial knowledge of internal medicine, with significant gaps in his understanding. His
14 clinical judgment and reasoning were described as variable.

15 4.

16 License and the Board desire to settle this matter by entry of this Stipulated Order.
17 Licensee understands that he has the right to a contested case hearing under the Administrative
18 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the
19 right to a contested case hearing and any appeal therefrom by the signing of and entry of this
20 Order in the Board's records. Licensee neither admits nor denies but the Board finds that he
21 violated the Medical Practice Act alleged in paragraph 3 by violating ORS 677.190(1)(a),
22 unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a), (b) and (c); ORS
23 67.190(9), making false and misleading statements to patients about the efficacy or value of the
24 medicine, treatment or remedy prescribed or administered by Licensee or at his direction, that the
25 Licensee should know in the exercise of reasonable care is false or misleading; ORS 677.190(14)
26 gross or repeated negligence in the practice of medicine; and ORS 677.190(18) willfully violate
27 a board order.

1 5.

2 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order,
3 subject to the following terms and conditions of probation:

4 5.1 Licensee is placed on probation for ten years and shall report in person to the
5 Board at each of its quarterly meetings at the scheduled times for a probation interview, unless
6 otherwise directed by the Board or its Investigation Committee.

7 5.2 Licensee is reprimanded.

8 5.3 Licensee will pay a \$2500 fine within 120 days from the signing of this Order by
9 the Board Chair.

10 5.4 Licensee may only practice medicine in supervised practice settings that are
11 approved in advance by the Board's Medical Director. Licensee may continue to work in his
12 current practice setting within the Department of Corrections, which constitutes a supervised
13 practice setting with ongoing chart reviews that occur at least once every two weeks. Licensee
14 will ensure that his clinical supervisor provides written quarterly reports to the Board on his
15 work performance and quality of care that Licensee provides to his patients.

16 5.5 Licensee will enroll in the Physicians Evaluation Education Renewal (PEER)
17 program within 30 days from the signing of this Order. Licensee will successfully complete
18 PEER within 24 months from the date of this enrollment and will sign all necessary releases to
19 allow full communication between the Board and PEER.

20 5.6 Within 60 days from the date this Order is signed by the Board Chair, Licensee
21 will submit a proposed education remediation plan for review, comment, direction and approval
22 by the Board's Medical Director that will address the areas of demonstrated need as reported in
23 his CPEP Assessment Report (2006). These include the need for continuing education courses in
24 documentation and internal medicine to address shortcomings in his medical knowledge
25 identified in the CPEP Assessment Report (2006). Licensee must present quarterly reports of his
26 progress towards executing this education remediation plan and will successfully complete it
27 within 24 months from obtaining approval of his submitted plan.

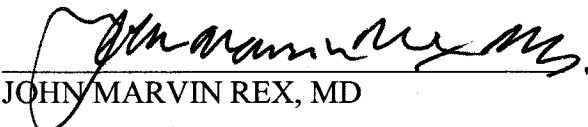
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5.7 Licensee understands that this Order is a public record and is a disciplinary action that is reportable to the National Practitioner Data Bank. Compliance with all terms of this order will be monitored by the Board's Investigation and Compliance Unit.

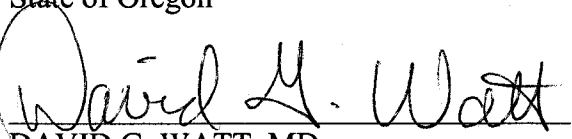
5.8 Licensee shall obey all federal and Oregon laws and regulations pertaining to the practice of medicine.

5.9 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(18).

IT IS SO STIPULATED this 17th day of February, 2007.


JOHN MARVIN REX, MD

IT IS SO ORDERED this 8th day of March, 2007.

BOARD OF MEDICAL EXAMINERS
State of Oregon

DAVID G. WATT, MD
Board Chair

BEFORE THE
BOARD OF MEDICAL EXAMINERS
STATE OF OREGON

In the Matter of)
)
BRICE TYLER STANLEY, PA) INTERIM
LICENSE NO, PA01027) STIPULATED ORDER
)

1.

The Board of Medical Examiners (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physician assistants, in the state of Oregon. Brice Tyler Stanley, PA (Licensee) is a licensed physician assistant in the state of Oregon.

2.

On January 29, 2007, the Board received information from the Deschutes County Sheriff's Office that they opened an investigation on the Licensee. Licensee also may have been practicing osteopathic manipulations outside the scope of his Board approved practice description and without physician supervision.

3.

Due to the facts described above and in order to address the concerns of the Board, Licensee and the Board agree to the entry of this Stipulated Order. This Order, which becomes effective the date Licensee sign this document, provides that Licensee shall comply with all of the following conditions:

- 3.1 Licensee shall not perform osteopathic manipulation.
- 3.2 Licensee shall not perform any examination or treatment on female patients which requires them to remove any clothing, including Pap exams or breast exams.
- 3.3 In any clinical contact with a female patient, to include patient examination and treatment, Licensee shall be accompanied at all times by a medically trained female

1 chaperone who is not a close relative of the Licensee whether by blood or marriage. The
2 presence of the chaperone will be immediately documented in the patient chart.

3 3.4 Licensee shall not have intentional contact with any current or former female
4 patient outside of the clinic and outside of the regular business hours of the clinic.

5 4.

6 At the conclusion of the Board's investigation, Licensee's status will be reviewed in an
7 expeditious manner. Based upon that review, the Board will determine whether to propose to take
8 disciplinary action against Licensee and, if so, whether to modify the terms of this Order pending
9 the resolution of the Board's proposal to take disciplinary action.

10 5.

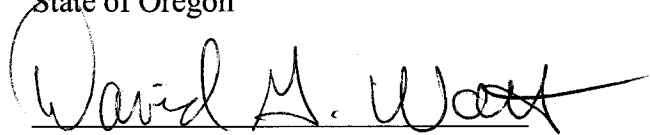
11 This order is issued by the Board pursuant to ORS 677.420(1) for the purpose of making a
12 complete investigation in order to fully inform itself with respect to the performance or conduct of
13 the Licensee and Licensee's ability to safety and competently practice medicine. Pursuant to ORS
14 677.425, Board investigative materials are confidential and shall not be subject to public
15 disclosure, nor shall they be admissible as evidence in any judicial proceeding. However, as a
16 stipulation, this order is a public document.

17
18 IT IS SO STIPULATED THIS 26th day of Feb, 2007.

19
20 
21 BRICE T. STANLEY, PA

22 IT IS SO ORDERED THIS 28 day of February, 2007.

23 BOARD OF MEDICAL EXAMINERS
24 State of Oregon

24 
25 DAVID G. WATT, MD
26 BOARD CHAIR