

Revised 12/21/09
Oregon Medical Board
BOARD ACTION REPORT
September 16, 2009 – October 15, 2009

The information contained in this report summarizes new, interim, and final actions taken by the Oregon Medical Board between **September 16, 2009 – October 15, 2009**.

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/Corrective Action Agreements 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 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.

***DENISON, Darryl, Bruce, PA, PA01059; Hermiston, OR**

The Board issued an Order Terminating Stipulated Order on October 8, 2009. This Order terminates Licensee's February 1, 2005 Stipulated Order.

FLORES, Gonzalo, Marine, LAc, AC00643; Portland, OR

Licensee entered into a Corrective Action Agreement with the Board on October 8, 2009. This Agreement requires Licensee to abide by the following conditions: Complete a professional boundary course. Licensee will not examine or treat female patients sixteen years or older without the presence of a chaperone. Licensee will not hug or embrace his patients or family members of patients. Licensee may request modification or termination of this Agreement. This is not a disciplinary action.

***HENERY, Randall, Steven, DO, DO17983; Eugene, OR**

Licensee entered into a Stipulated Order with the Board on October 8, 2009. In this Order, Licensee agreed to permanently surrender his Oregon medical license and agreed to never reapply for a medical license in Oregon.

KNOWLTON, David, Alexander, MD, MD20529; Eugene, OR

The Board issued an Order Terminating Corrective Action Order on October 8, 2009. This Order terminated Licensee's May 8, 2007 Corrective Action Order.

***LAI, Wallace, MD, MD17813; Beaverton, OR**

The Board issued an Order Terminating Interim Stipulated Order on October 9, 2009. This Order terminated Licensee's August 29, 2009 Interim Stipulated Order.

***LITWER, Lawrence, Ronald, MD, MD16741**

The Board issued an Order of Suspension on October 8, 2009. This Order immediately suspends Licensee's Oregon medical license per ORS 677.225(1)(b), which provides that a licensee's medical license is suspended automatically if the licensee is an inmate in a penal institution.

***MCDOUGALL, William, Edwin, DO, DO24746; Brookings, OR**

Licensee entered into an Interim Stipulated Order with the Board on October 9, 2009. In this Order Licensee agreed to voluntarily withdraw from practice pending the conclusion of the Board's investigation into his ability to safely and competently practice medicine.

***MILLIGAN, Glen, Alvin, MD, MD07799; Gresham, OR**

Licensee entered into a Voluntary Limitation on October 8, 2009. In this Order Licensee agreed to limit his medical practice to administrative medicine only as defined by OAR 847-008-0037. Licensee is therefore restricted from seeing patients or prescribing medications. This is not a disciplinary action.

PUTZER, Thomas, John, MD, MD12880; Medford, OR

Licensee entered into a Corrective Action Agreement with the Board on October 8, 2009. This Agreement requires Licensee to complete the Physicians Evaluation Education and Renewal (PEER) program of the Oregon Medical Association. This is not a disciplinary action.

SIMANTS, Erin Michelle, LAc; AC00626; Portland, OR (added 12/21/09)

Applicant entered into a Corrective Action Agreement with the Board on October 9, 2009. This Agreement requires Applicant to complete an Acupuncture Mentorship as specified in the Acupuncture Mentorship Outline attached to the Agreement. This is not a disciplinary action.

***VAN PETT, Kasia, MD, MD20623; Eugene, OR**

Licensee entered into a Stipulated Order with the Board on October 8, 2009. This Order reprimanded Licensee. Licensee's medical license is suspended for two years effective September 10, 2008 (the date the Order of Emergency Suspension was issued). Licensee is placed on probation for ten years and shall report to the Board for quarterly interviews. Prior to submitting an application to reactivate her medical license, Licensee must undergo an evaluation by a pre-approved mental health professional. Licensee must also complete a re-entry evaluation program and submit a re-entry plan prior to applying to reactivate her medical license. Licensee will maintain accurate and timely patient charts. Licensee shall show this Order to any employer in the health care field prior to accepting any offer of employment.

***WINTER, Brooke, Candace, LAc, AC00120**

The Board issued an Order Terminating Board Orders on October 8, 2009. This Order terminated Licensee's September 6, 2007 Interim Stipulated Order and Licensee's September 25, 2008 Order of Suspension.

***YANKEE, Joseph, Earl, DO, DO19458; Portland, OR**

Licensee entered into a Stipulated Order with the Board on October 12, 2009. This Order terminated Licensee's June 19, 2009 Interim Stipulated Order. This Order reprimanded Licensee and requires him to successfully participate in the Health Professionals Program (HPP). Licensee will not take any controlled substances or other medications not approved by HPP. Licensee will not store or dispense any Schedule II, III, or IV Controlled Substances (to include samples). Licensee will not prescribe Schedule II, III, or IV drugs for friends, family members or staff.

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
DARRYL BRUCE DENISON, PA) ORDER TERMINATING
LICENSE NO. PA01059) STIPULATED ORDER
)

1.

On December 1, 2005, Darryl Bruce Denison, PA (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order granted Licensee an Oregon Physician Assistant license and placed conditions on his license. On June 1, 2009, 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 does hereby order that the December 1, 2005 Stipulated Order be terminated effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 8 day of October, 2009.

OREGON MEDICAL BOARD
State of Oregon

Signature Redacted on Copies

~~DOUGLAS KIRKPATRICK, MD~~
Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
RANDALL STEVEN HENERY, DO) STIPULATED ORDER
LICENSE NO. DO17983)
)

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. Randall Steven Henery, DO (Licensee) is a licensed physician in the state of Oregon.

2.

The Board has opened an investigation into behavior by Licensee that would constitute violations of the Medical Practice Act, to include: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a) and ORS 677.190(23) refusing an invitation for an informal interview with the board.

3.

The acts and conduct alleged to violate the Medical Practice Act follow:

3.1 Clinic administrators reported Licensee's conduct to the Eugene Police Department and the Licensee was arrested on or about April 11, 2009. In April 2009, Licensee was terminated for cause from the Santa Clara Medical Clinic in Eugene, Oregon for engaging in inappropriate behavior, to include physical intimidation and making unwelcome sexually vulgar comments to, and about, female clinic employees. Licensee pled "no contest" to a charge of Harassment on July 21, 2009 to resolve the criminal court matter. Licensee's behavior had the potential of impeding the delivery of quality health care and constituted unprofessional and dishonorable conduct.

1 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a) and
2 ORS 677.190(23) refusing an invitation for an informal interview with the board.

3 5.

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

6 5.1 Licensee permanently surrenders his license to practice medicine while under
7 investigation.

8 5.2 Licensee will never reapply for a license to practice medicine in Oregon.

9 5.3 Licensee will not practice any form of medicine, to include administrative
10 medicine and individual medical examinations (IMEs).

11 5.4 Licensee stipulates and agrees that any violation of the terms of this Order
12 will be grounds for further disciplinary action under ORS 677.190(18).

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14 IT IS SO STIPULATED this 14 day of September, 2009.

15
16 Signature Redacted on Copies

17 RANDALL STEVEN HENERY, DOU

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19 IT IS SO ORDERED this 8 day of October, 2009.

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21 OREGON MEDICAL BOARD
22 State of Oregon

23 Signature Redacted on Copies

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25 DOUGLAS B. KIRKPATRICK, MD
26 BOARD CHAIR

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
LAWRENCE RONALD LITWER, MD)
LICENSE NO. MD16741) ORDER OF LICENSE
SUSPENSION

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. Lawrence Ronald Litwer, MD (Licensee) is a licensed physician in the state of Oregon.

2.

Licensee was convicted pursuant to his pleas of guilty in Washington County, Oregon Circuit Court of three counts of Attempted Sexual Abuse in the First Degree (Class C felony). On August 3, 2009, Licensee was sentenced to 60-months of confinement by the Oregon Department of Corrections. Licensee's sentence included 5-years of post prison supervision with certain specified conditions and monetary assessments totaling \$1,705. Licensee began his sentence to confinement on August 4, 2009.

3.

ORS 677.225(1)(b) provides that a licensee's medical license is suspended automatically if the licensee is an inmate in a penal institution.

4.

The license of Licensee to practice medicine is suspended, pursuant to ORS 677.225(1)(b).

IT IS SO ORDERED this 8 day of October, 2009.

OREGON MEDICAL BOARD
State of Oregon

Signature Redacted on Copies

DOUGLAS B. KIRKPATRICK, MD
BOARD CHAIR

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
WILLIAM EDWIN MCDUGALL) INTERIM STIPULATED ORDER
LICENSE NO. DO24746)

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. William Edwin McDougall, DO (Licensee) is a licensed physician in the state of Oregon.

2.

On August 27, 2009, the Board received credible information regarding Licensee that resulted in the Board initiating an investigation. The results of the Board's investigation to date have raised concerns to the extent that the Board believes it necessary that Licensee agree to cease the practice of medicine until the investigation 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:

3.1 Licensee voluntarily withdraws from the practice of medicine and his license is placed in inactive status pending the completion of the Board's investigation into his ability to safely and competently practice medicine.

3.2 This Order becomes effective the date it is signed by Licensee.

3.3 Licensee understands that violating any term of this Order will be grounds for

1 disciplinary action under ORS 677.190(18).

2 4.

3 At the conclusion of the Board's investigation, Licensee's status will be reviewed in an
4 expeditious manner. If the Board determines, following that review, that Licensee shall not be
5 permitted to return to the practice of medicine, Licensee may request a hearing to contest that
6 decision.

7 5.

8 This order is issued by the Board pursuant to ORS 677.265(2) for the purpose
9 of protecting the public, and making a complete investigation in order to fully inform itself with
10 respect to the performance or conduct of the Licensee and Licensee's ability to safely and
11 competently practice medicine. Pursuant to ORS 677.425, Board investigative materials are
12 confidential and shall not be subject to public disclosure, nor shall they be admissible as
13 evidence in any judicial proceeding. However, Licensee understands that this Order is a public
14 record and is reportable to the National Practitioner Data Bank, Healthcare Integrity and
15 Protection Data Bank and the Federation of State Medical Boards.

16
17 IT IS SO STIPULATED THIS 9th day of October, 2009.

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19 Signature Redacted on Copies

20 WILLIAM EDWIN MCDUGALL, DO

21
22 IT IS SO ORDERED THIS 9th day of October, 2009.

23 State of Oregon
24 OREGON MEDICAL BOARD

25 Signature Redacted on Copies

26 KATHLEEN HALEY, JD
27 EXECUTIVE DIRECTOR

1 4.

2 The acts and conduct alleged to violate the Medical Practice Act are:

3 4.1 The Board opened two investigations into Licensee's practice based upon
4 concerns related to delinquent charting and an allegation of a wrong-site surgery in January
5 2005. The Board's investigations reveal that Licensee was chronically late in her charting—as
6 much as 18 months behind on many charts. Despite repeated requests to correct this deficiency
7 from her employer, Licensee failed to take effective action to address her delinquent charting.
8 Delinquent charting has the potential of adversely impacting patient care; and in this case caused
9 patients to experience delays in getting insurance approval for needed medical procedures.
10 Licensee has also failed to respond to repeated patient requests to provide access or copies of
11 their charts, in violation of OAR 847-012-0000. Licensee resigned from the Neuro-Spine
12 Institute in December 2007.

13 4.2 In January 2007, Patient A requested that Licensee provide her a copy of her
14 medical records, but never received a meaningful response. Licensee failed to complete Patient
15 A's records, so the Neuro-Spine Institute could not satisfy this request. Licensee failed to
16 provide Patient A access to or a copy of her medical records, as required by OAR 847-012-0000.

17 4.3 Licensee performed a cervical fusion procedure on Patient B in January 2005, to
18 address an injury sustained during a motor vehicle accident. Licensee performed this surgery on
19 the wrong site, and failed to timely inform Patient B of this error after the operation.

20 4.4 In the spring of 2008, Board investigators corresponded with Licensee in regard
21 to matters under investigation and to request copies of identified delinquent medical records.
22 Licensee has failed to respond to the Board's requests for copies of medical records. Board
23 investigators attempted to maintain contact with Licensee throughout the summer of 2008, and
24 made repeated requests for information. Licensee failed to respond to these Board requests for
25 information, and has not responded to phone calls or correspondence from the Board's staff.

26 4.5 On November 14, 2008, the Board issued a letter to Licensee inviting her to
27 appear before the Board's Investigative Committee on December 4, 2008 to answer questions

1 regarding her resignation from the Neuro-Spine Institute, her failure to keep medical charts
2 updated, practice concerns in regard to specific patients, and her lack of response to Board
3 inquiries. Licensee failed to appear before the Investigative Committee on December 4, 2008.
4 Her absence was not excused.

5 5.

6 License and the Board desire to settle this matter by entry of this Stipulated Order.
7 Licensee understands that she has the right to a contested case hearing under the Administrative
8 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the
9 right to a contested case hearing and any appeal therefrom by the signing of and entry of this
10 Order in the Board's records. Licensee admits that she engaged in the conduct described in
11 paragraph 4 and that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable
12 conduct as defined in ORS 677.188(4)(a); ORS 677.190(14) gross or repeated negligence; ORS
13 677.190(18) willfully violating any board rule, board request or board order; and ORS
14 677.190(23) refusing an invitation for an informal interview with the board. Licensee
15 understands that this Order is a public record and is reportable to the National Practitioner Data
16 Bank.

17 6.

18 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order
19 subject to the following sanctions and terms and conditions of probation:

20 6.1 Licensee is reprimanded.

21 6.2 The license of Licensee to practice medicine is suspended for a minimum of two
22 years, with the effective date of the suspension beginning on September 10, 2008, which
23 is the date the Board issued the Order of Emergency Suspension.

24 6.3 Licensee is placed on probation for a minimum of ten (10) years and shall report
25 in person to the Board at each of its quarterly meetings at the scheduled times for a
26 probation interview, unless otherwise directed by the Board's Compliance Officer or its
27 Investigative Committee.

1 6.4 Prior to submitting an application for a medical license, Licensee will undergo an
2 evaluation, at her own expense, by a mental health professional pre-approved by the
3 Board's Medical Director. Licensee will sign all necessary releases to ensure that the
4 Board may freely communicate with the approved mental health provider, and to ensure
5 that the Board receives a written evaluation directly from the mental health provider
6 regarding Licensee's fitness to safely and competently practice medicine.

7 6.5 Prior to submitting an application to activate her medical license, Licensee will
8 undergo a re-entry evaluation program pre-approved by the Board's Medical Director to
9 assess her clinical skills and medical knowledge. Licensee will sign and fully cooperate
10 with the evaluation process and shall sign all necessary releases to allow full and
11 complete communication between the evaluation program and the Board. The
12 evaluation program will provide directly to the Board a written recommendation for a
13 remediation or education plan.

14 6.6 After completing the re-entry evaluation report, Licensee will develop and submit
15 a re-entry plan to the Board's Medical Director for review and input, prior to the plan
16 being presented to the Board.

17 6.7 The Board will review the evaluation report and its recommendations for
18 remediation or education, the mental health report, and the Licensee's re-entry plan as
19 they consider the Licensee's ability to safely and competently practice medicine.

20 6.8 Licensee will timely comply with all the recommendations and satisfactorily
21 complete all aspects of a Board approved re-entry plan. Credible information of late
22 compliance or non-compliance with any term of the re-entry plan may constitute grounds
23 for discipline and provide a basis for an immediate licensure suspension.

24 6.9 Licensee will maintain accurate and timely medical charts. Licensee will
25 complete all charts within 10 days of each patient visit.

26 6.10 Licensee will provide a copy of this Order to any employer in the health care field
27 concurrent with or prior to accepting any offer for employment.

1 6.11 Licensee's practice will be subject to no-notice compliance inspections by a
2 Board designee.

3 6.12 Licensee shall obey all federal and Oregon State laws and regulations pertaining
4 to the practice of medicine.

5 6.13 Licensee stipulates and agrees that any violation of the terms of this Order shall
6 be grounds for further disciplinary action under ORS 677.190(18).

7
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9 IT IS SO STIPULATED this 6 day of April, 2009.

10
11 Signature Redacted on Copies

12 KASIA VAN PETT, MD

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14 IT IS SO ORDERED this 8 day of October, 2009.

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16 OREGON MEDICAL BOARD
17 State of Oregon

18 Signature Redacted on Copies

19 DOUGLAS B. KIRKPATRICK, MD
20 Board Chair

1 disciplinary action that is reportable to the National Practitioner Data Bank, Healthcare Integrity
2 and Protection Data Bank and the Federation of State Medical Boards.

3 4.

4 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order.
5 The Board hereby terminates Licensee's June 19, 2009 Interim Stipulated Order and returns
6 Licensee to practice under the following terms and conditions:

7 4.1 Licensee is reprimanded.

8 4.2 Licensee will affiliate with, participate in and maintain compliance with the
9 recommendations of a recovery program under the auspices of the Oregon Health
10 Professionals Program established pursuant to ORS 677.615, and the state successor
11 health professional monitoring entity after July 1, 2010, and shall sign and maintain in
12 full force and effect the program's terms of participation and consent to full disclosure of
13 alcohol and drug treatment records and psychiatric records between the Board and the
14 Health Professionals Program for the duration of this order.

15 4.3 Licensee will not take any controlled substances or other medications not
16 approved by the Health Professionals Program.

17 4.4 Licensee will not store or dispense any Schedule II, III, or IV controlled
18 substances (to include samples) in his clinic or any office where he provides medical
19 services.

20 4.5 Licensee will not prescribe any Schedule II, III, or IV controlled substances for
21 friends, family members, or staff.

22 4.6 Licensee will immediately cooperate with any request from the Board's
23 Compliance Officer for issues related to compliance with this Order.

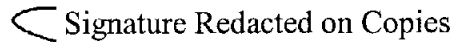
24 4.7 Licensee shall obey all federal and Oregon state laws and regulations pertaining to
25 the practice of medicine.

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1 4.8 Licensee understands that violating any term of this Order will be grounds for
2 disciplinary action under ORS 677.190(18).

3
4 IT IS SO STIPULATED THIS 9 day of October, 2009.

5
6  Signature Redacted on Copies

7 JOSEPH EARL YANKEE, DO

8
9 IT IS SO ORDERED THIS 12th day of October, 2009.

10 State of Oregon
11 OREGON MEDICAL BOARD

12 Signature Redacted on Copies

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14 Lisa A. Cornelius, DPM
15 Vice Chair