

Oregon Medical Board
BOARD ACTION REPORT
December 16, 2008 – January 15, 2009

The information contained in this report summarizes new interim and final actions taken by the Oregon Medical Board between **December 16, 2008 - January 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 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.

***DARM, Jerrold Roy, MD; MD10790; Tigard, OR**

The Board issued an Order Terminating Stipulated Order on January 8, 2009. This Order terminated Licensee's October 18, 2001 Stipulated Order.

***EKHOLM, Roberta Ashley, DO; DO12667; Vallejo, CA**

The Board issued an Order Terminating Stipulated Orders on January 8, 2009. This Order terminated Licensee's December 4, 2003 and July 12, 2007 Stipulated Orders.

***FERRIN, William Myron, MD; MD17742; Clackamas, OR**

Licensee entered into an Interim Stipulated Order with the Board on January 9, 2009. In this Order Licensee agreed to withdraw from the practice of medicine pending the completion of the Board's investigation into his competency to practice medicine.

***PAIKEN, LORI ANN, AC; AC00133; Ashland, OR**

The Board issued a Default Final Order on January 8, 2009. This Order revoked Licensee's Oregon acupuncture license.

***SAKS, Seldon Keith, MD; MD15511; Tualatin, OR**

The Board issued an Order Terminating Order of Emergency Suspension on January 8, 2009. This Order terminated Licensee's October 16, 2008 Order of Emergency Suspension. Licensee's February 7, 2008 Final Order remains in full force and effect.

SCHALAU, DAPHNE BEHRENS, MD; MD20198; Roseburg, OR

The Board issued an Order Terminating Corrective Action Order on January 8, 2009. This Order terminated Licensee's October 13, 2006 Corrective Action Order.

SNIDER, Robert William, MD; MD24904; Wilsonville, OR

Licensee entered into a Corrective Action Order with the Board on January 8, 2009. In this Order Licensee agreed to successfully complete a pain and prescribing course pre-approved by the Board's Medical Director; Licensee agreed not to prescribe or provide care for himself or any family member or significant other; Licensee will establish a patient/provider relationship with a health care provided approved by the Board's Medical Director.

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)
William Myron Ferrin, MD) INTERIM STIPULATED ORDER
LICENSE NO. MD17742)
)

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 Myron Ferrin (Licensee) is a licensed physician in the state of Oregon.

2.

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 effective the date this Order is signed by Licensee:

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

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4.

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

5.

This order is issued by the Board pursuant to ORS 677.265(2) for the purpose of protecting the public, and making a complete investigation in order to fully inform itself with respect to the performance or conduct of the Licensee and Licensee's ability to safely and competently practice medicine. Pursuant to ORS 677.425, Board investigative materials are confidential and shall not be subject to public disclosure, nor shall they be admissible as evidence in any judicial proceeding. However, as a stipulation this order is a public document.

IT IS SO STIPULATED THIS 8 day of January, 2008

Signature Redacted on Copies
WILLIAM MYRON FERRIN, MD

IT IS SO ORDERED THIS 9th day of January, 2008.

State of Oregon
OREGON MEDICAL BOARD

Signature Redacted on Copies

KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
LORI ANN PAIKEN, LAc)
LICENSE NO. AC00133)

) DEFAULT FINAL ORDER
)
)

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including acupuncturists, in the state of Oregon. Lori Ann Paiken, LAc (Licensee) is a licensed acupuncturist in the state of Oregon.

2.

2.1 On November 18, 2008, the Board issued a Complaint and Notice of Proposed Disciplinary Action (Notice) 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(18) failing to comply with a board request pursuant to ORS 677.320. The Board also proposed suspending her license pursuant to ORS 305.385.

2.2 The Notice designated the Board's file on this matter as the record of proceedings for purposes of default and informed Licensee that failure to request a hearing within 21 days of service of the Notice or to appear at any hearing would constitute waiver of the right to a contested case hearing and result in a default order.

2.3 The Board sent the Notice to Licensee's mailing address by certified mail on November 20, 2008. Licensee did not request a hearing. The Board elects in this case to designate the record of proceeding, which consists of Licensee's Investigative case file (Case #08-0776) with the Board, as the record for purposes of proving a prima facie case.

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1 NOW THEREFORE, after considering the Board's file relating to this matter, the Board
2 enters the following Order.

3 3.

4 FINDINGS OF FACT

5 The Board makes the following findings of fact from the Board's file pertaining to this
6 case:

7 3.1 On September 5, 2008, the Oregon Department of Revenue requested that the
8 Board suspend the license of Licensee to practice acupuncture pursuant to ORS 305.385 for
9 neglecting or refusing to file her tax return or pay tax that is due, and that Licensee had not
10 filed a petition in good faith with the Department of Revenue contesting the tax.

11 3.2 The Board subsequently sent a letter to Licensee requesting her to respond to
12 the allegation from the Department of Revenue and to provide proof that she had filed her tax
13 return and paid the appropriate tax, if she had done so. Licensee failed to respond by the
14 requested date of October 13, 2008. Review of Licensee's application for license renewal that
15 she signed and dated July 7, 2008 revealed that in response to the question whether she was:
16 "aware of any current, proposed, impending or threatened civil or criminal action against
17 you?", the Licensee answered "no." Licensee also answered "no" to the question: "Have you
18 been contacted by or asked to make a response to any governmental agency in any jurisdiction
19 regarding any criminal or civil investigation of which you are the subject, whether or not a
20 charge, claim or filing with a court actually occurred?" Neither answer was accurate.

21 3.3 The Board sent a letter to Licensee asking her to respond to the allegations by
22 the Department of Revenue by October 13, 2008. Licensee did not reply. The Board sent a
23 second letter to Licensee on October 17, 2008, directing that she appear at the Board office on
24 October 29, 2008, to meet with an investigator to discuss these matters. Licensee failed to
25 meet with the investigator by the time specified. The Licensee responded with a letter that
26 stated she was no longer practicing acupuncture in the state of Oregon and she would not be
27 appearing at the Board on October 29, 2008. Her failure to appear was not excused.

1 4.

2 CONCLUSIONS OF LAW

3 4.1 Licensee's conduct breached well recognized standards of ethics of the
4 medical profession (to include licensed acupuncturists) and other applicable statutes, in
5 violation of ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS
6 677.188(4)(a) and ORS 677.190(18) by failing to respond to the Board's letters, failing to
7 appear for an investigative interview, and failing to answer truthfully or accurately on her
8 application for license renewal.

9 4.2 Licensee's failure to file her tax return, pay taxes due, or file a petition in good
10 faith with the Department of Revenue provides sufficient basis for the Board to suspend her
11 professional license.

12 4.3 The Board, therefore, concludes that based upon its examination of the record
13 in this case, that each alleged violation of the Medical Practice Act is supported by reliable,
14 probative and substantial evidence.

15 5.

16 **ORDER**

17 IT IS HEREBY ORDERED THAT the license of Lori Ann Paiken LAc, to practice
18 as a licensed acupuncturist in the state of Oregon is revoked.

19
20 DATED this 8TH day of January 2009.

21 OREGON MEDICAL BOARD
22 State of Oregon

23 Signature Redacted on Copies

24 PATRICIA L. SMITH
25 BOARD CHAIR
26
27

Right to Judicial Review

NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days after the final order is served upon you. See ORS 183.482. If this Order was personally delivered to you, the date of service is the day it was mailed, not the day you received it. If you do not file a petition for judicial review within the 60 days time period, you will lose your right to appeal.

