

Oregon Medical Board
BOARD ACTION REPORT
November 15, 2010

The information contained in this report summarizes new interim and final actions taken by the Oregon Medical Board between *October 16, 2010 and November 15, 2010*.

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 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.

***Bristol, Thomas, Lindsey, MD; MD09602; Salem**

Licensee entered into a Stipulated Order with the Board on November 4, 2010. In this Order Licensee was reprimanded and placed on probation with the following conditions: Licensee may treat male patients only effective 30 days after the effective date of this order; no notice record inspections by Board staff; must provide copy of order to employers.

***Kovachevich, Larry, Lee, MD; MD09160; Bend**

Licensee entered into an Interim Stipulated Order with the Board on November 2, 2010. 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.

***Lee, Carma, Jane, MD; MD21672; Damascus**

Licensee entered into an Interim Stipulated Order with the Board on November 9, 2010. In this Order, Licensee agreed not to prescribe any Schedule II and III medications, tramadol, and all psychotropic medications, pending the completion of the Board's investigation.

***Liu, Rong, Yi, LAc; Applicant; No Practice City**

The Board issued a Default Final Order on November 4, 2010. This order denied Applicant an Oregon medical license. He was also assessed a \$5,000 fine, but it was stayed provided that Applicant never reapplies for an Oregon license.

***Staggenborg, Richard, Kelly, MD; MD20053; Roseburg**

Licensee entered into an Interim Stipulated Order with the Board on October 21, 2010. In this Order Licensee agreed with voluntarily withdraw from practice pending the conclusion of the Board's investigation.

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 was placed on probation for five years, paid a \$1,000 fine, required to complete a boundary
2 course, and among other terms and conditions, was prohibited from conducting a pelvic or
3 breast examination on any female patient without a chaperone present.

4 3.2 On January 10, 2008, Licensee entered into an Order Modifying the Stipulated
5 Order, which detailed that Licensee had self-reported to the Board two separate problematic
6 encounters with female patients that resulted in his termination from Salem Hospital. As a
7 result, Licensee's Order was modified to reflect that he would "...not examine any female
8 patient 10 years of age or older without a chaperone present for the entire course of the
9 examination or treatment. The presence of the chaperone will be immediately documented by
10 the name, date and time in the patient chart. The chaperone may not be a friend or family
11 member of the patient."

12 3.3 The Board's current investigation alleged that during the course of an
13 examination related to an injury sustained during a softball game, Licensee instructed Patient
14 A, an adult female patient, to take off her examination gown, leaving her attired only in
15 underpants and a tank top. Licensee conducted this examination in the presence of a medical
16 assistant who was serving as a chaperone. Without clear warning or explanation, Licensee
17 pulled Patient A's underwear down and palpated her pelvic area. Licensee subsequently had
18 Patient A demonstrate how the injury occurred and perform range of motion tests while she
19 was still clad in underpants and tank top. A few days later, Patient A returned to the clinic to
20 pick up her X-rays. Licensee took care to answer all her questions. After she received the X-
21 rays, which showed a non-displaced fracture of the pelvis, Licensee insisted on assisting
22 Patient A and walked with her to her car. These encounters caused Patient A considerable
23 discomfort. Licensee's conduct constitutes an improper boundary violation and in view of his
24 previously sanctioned behavior, displays poor insight as to how his behavior may impact his
25 patients.

26 ///

27 ///

1
2
3
4
5
6
7
8
9
10
11
12 4.

Licensee and the Board desire to settle this matter by the entry of this Stipulated 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. Licensee understands that this Order is a disciplinary action and is reportable to the National Practitioner Data Bank, Healthcare Integrity and Protection Data Bank and the Federation of State Medical Boards. Licensee stipulates that he engaged in the conduct described in paragraph 3. The Board finds that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a).

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27 5.

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

5.1 Licensee is reprimanded.

5.2 Licensee's practice of medicine shall be restricted to male patients only, effective 30 days after the date this Stipulated Order is signed by the Board Chair.

5.3 Licensee's practice, to include patient records, is subject to no-notice inspections by Board staff to ensure compliance with this Order.

5.4 Licensee will immediately inform and provide a copy of this Order to any present employer he may have in the health care field, or any future employer prior to reporting for his first day of work.

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

5.6 This Order terminates the Stipulated Order of November 2, 2006 and Order Modifying Stipulated Order, dated January 1, 2008, effective 30 days after the date this Order is signed by the Board Chair.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
LARRY LEE KOVACHEVICH, MD) INTERIM STIPULATED ORDER
LICENSE NO. MD09160)
)

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. Larry Lee Kovachevich, MD (Licensee) is a licensed physician in the state of Oregon.

2.

Licensee entered into a Stipulated Order with the Board on July 8, 2010. The sanctions and terms of probation stipulated to in this Order included a requirement that Licensee must remain enrolled in the Board's Health Professionals' Program (HPP) and its successor (the Health Professionals Services Program, HPSP) for as long as he holds a medical license in Oregon. Licensee also stipulated that he must fully comply with the terms of these programs, and understood that in the event the Board receives information from either program which deems him to be in non-compliance with the program, the Board may consider this as grounds for immediate inactivation of his Oregon license

On October 12, 2010, the Board received a report of the Licensee's Substantial Non-Compliance from Reliant Behavioral Health (HPSP). On October 20, 2010, the Board received an additional report of the Licensee's Substantial Non-Compliance from HPSP.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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(17).

4.

At the conclusion of the Board's investigation, Licensee's status will be reviewed in an expeditious manner. Following that review, if the Board determines 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(1) and (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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

6.

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

IT IS SO STIPULATED THIS 2 day of Nov., 2010.

SIGNATURE REDACTED

LARRY LEE KOVACHEVICH, MD

IT IS SO ORDERED THIS 3rd day of November, 2010.

State of Oregon
OREGON MEDICAL BOARD

SIGNATURE REDACTED

KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
CARMA JANE LEE, MD) INTERIM STIPULATED ORDER
LICENSE NO. MD21672)
)

1.
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. Carma Jane Lee, MD (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 regarding the Licensee’s prescribing of pain medications and psychotropic medications.

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 agrees not to prescribe any of the following medications: Schedule II and III medications, tramadol (Ultram), and all psychotropic medications.

3.2 Licensee understands that violating any term of this Order will be grounds for disciplinary action under ORS 677.190(17).

4.

At the conclusion of the Board’s investigation, Licensee’s status will be reviewed in an expeditious manner. Following that review, if the Board determines that Licensee shall not be

1 permitted to return to the practice of medicine, Licensee may request a hearing to contest that
2 decision.

3 5.

4 This Order is issued by the Board pursuant to ORS 677.265(1) and (2) for the purpose
5 of protecting the public, and making a complete investigation in order to fully inform itself with
6 respect to the performance or conduct of the Licensee and Licensee's ability to safely and
7 competently practice medicine. Pursuant to ORS 677.425, Board investigative materials are
8 confidential and shall not be subject to public disclosure, nor shall they be admissible as
9 evidence in any judicial proceeding. However, as a stipulation this Order is a public document.

10 6.

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

12
13 IT IS SO STIPULATED THIS 9 day of November, 2010.

14 n /

15 **SIGNATURE REDACTED**

16 _____
CARMA JANE LEE, MD

17
18 IT IS SO ORDERED THIS 15th day of November, 2010.

19
20 State of Oregon
OREGON MEDICAL BOARD

21 **SIGNATURE REDACTED**

22
23 _____
KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
RONG YI LIU, LAc)
APPLICANT) DEFAULT FINAL ORDER TO
DENY LICENSE APPLICATION)

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. Rong Yi Liu, LAc (Applicant) has applied for an active license to practice acupuncture in Oregon.

2.

On August 3, 2010, the Board issued a Notice of Intent to Deny License Application based upon certain acts of misconduct by Applicant. This Notice designated the Board's file on this matter as the record for purposes of a default order and granted Applicant an opportunity for a hearing, if requested in writing within 60 days of service of the Notice. This Notice was sent by Certified Mail and by personal mail on August 3, 2010 to Applicant, at the address provided by Applicant as well as to his designated attorney. Applicant has not requested a hearing. As a result, the requisite 60 days to request a hearing have lapsed and Applicant stands in default. The Board elects in this case to designate the record of proceeding to date, which consists of Applicant's file with the Board, as the record for purposes of proving a prima facie case, pursuant to ORS 183.417(4).

3.

The Board proposed denying Applicant's license application to practice medicine in Oregon, to assess the costs of the proceedings, and to impose a fine based upon violations of the Medical Practice Act, as follows: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(8) fraud or misrepresentation in applying for an

1 acupuncture license in this state; ORS 677.190(17) willful violation of any rule adopted by the
2 Board; ORS 677.190(22) refusing an invitation for an informal interview with the Board; and
3 ORS 677.190(25) failing to report adverse action by law enforcement agency or court.

4 4.

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

7 FINDINGS OF FACT

8 The evidence of record establishes the following findings of fact:

9 4.1 On November 25, 2008, Applicant submitted an application for an active license
10 to practice as an acupuncturist in Oregon. Applicant answered "no" to question #6 in Category I
11 of the application: "Have you ever been arrested, convicted of, or pled guilty or "nolo
12 contendere" to ANY offense in any state in the United States or any foreign country, other than
13 minor traffic violations?" Applicant also answered "no" to question #7 in Category I of the
14 application: "Have you ever been contacted by or asked to make a response to any governmental
15 agency in any jurisdiction regarding any criminal or civil investigation of which you are the
16 subject, whether or not a charge, claim or filing with a court actually occurred?" Applicant's
17 answers were not true. Applicant was arrested on January 18, 2006 and on May 9, 2006 by
18 officers from the Northville Township Police Department (NTPD) in Michigan for allegations of
19 domestic violence. The NTPD also executed an arrest warrant on June 7, 2007 for failing to
20 appear in court for the aforementioned domestic violence charges. Applicant failed to report all
21 of his arrests to the Board during the processing of his application for licensure.

22 4.2 On February 27, 2009, Applicant submitted a revised personal history in his
23 application that acknowledged his arrest on January 18, 2006 by answering "yes" to question #6
24 in Category I of the application. In his written explanation, Applicant stated that the charge of
25 domestic violence was reduced to disorderly conduct, and was later dismissed. This answer was
26 incomplete and misleading. In fact, the domestic violence charges from January 18, 2006 were
27 not pursued by prosecutors. In relation to the May 9, 2006 arrest, Applicant entered a plea of no

1 contest to Disorderly Conduct and the original charge of Domestic Violence was dismissed on
2 October 15, 2007. Applicant was placed on probation for one year and was assessed fines and
3 costs. On November 6, 2008, the case was dismissed after Applicant paid the fines and costs in
4 full and completed his term of probation.

5 4.3 Applicant underwent his training in Chinese Medicine in China. As a foreign
6 medical school graduate, Applicant must speak English fluently and write English legibly, OAR
7 847-020-0130. Applicant has declined to take an English Proficiency examination. Applicant's
8 written communications with the Board has demonstrated limited proficiency in his ability to
9 write English, making him difficult to understand.

10 4.4 Applicant was invited to appear before the Board's Investigative Committee on
11 June 3, 2010, to answer questions about his background and qualifications to practice as an
12 acupuncturist. Applicant failed to appear. His absence was not excused.

13 5.

14 CONCLUSIONS OF LAW

15 5.1 Applicant's conduct as described above breached well recognized standards of
16 ethics of his profession. Applicant failed to provide truthful answers on his application for a
17 license as an acupuncturist when he falsely answered "no" to questions # 6 and #7 in Category I
18 of the application regarding whether he had ever been convicted or had been the subject of a
19 criminal or civil investigation. Such conduct violates recognized standards of ethics and
20 constitutes unprofessional or dishonorable conduct as well as fraud or misrepresentation in his
21 license application. Applicant also refused an invitation for an informal interview with the
22 Board by failing to appear for the Board's Investigative Committee on June 3, 2010 for an
23 interview. Applicant's failure to take an English Proficiency examination and his decision to
24 avoid meeting with the Board's Investigative Committee to discuss his application, taken
25 together with the evidence of his limited proficiency in his written correspondence with the
26 Board, provides the basis for the Board to conclude that he lacks the ability to speak English
27 fluently or write English legibly. Applicant's conduct violated ORS 677.190(1)(a) unprofessional

1 or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(8) fraud or
2 misrepresentation in applying for a acupuncturist license in this state; ORS 677.190(17) willful
3 violation of any rule adopted by the Board; ORS 677.190(22) refusing an invitation for an
4 informal interview with the Board; and ORS 677.190(25) failing to report adverse action by law
5 enforcement agency or court.

6 5.2 The Board concludes that based upon its examination of the record in this case,
7 that each alleged violation of the Medical Practice Act is supported by reliable, probative and
8 substantial evidence.

9 6.

10 **ORDER**

11 IT IS HEREBY ORDERED THAT the license application of Rong Yi Liu to practice
12 acupuncture is denied and he is assessed a civil penalty of \$5,000. The assessment of the civil
13 penalty is stayed, provided that Applicant does not submit an application for licensure with this
14 Board in the future. The civil penalty shall become payable in full on the day that Applicant
15 submits an application for licensure to this Board.

16 DATED this 4th day of November, 2010.

17
18 OREGON MEDICAL BOARD
19 State of Oregon

20 ***SIGNATURE REDACTED***

21 LISA A. CORNELIUS, DPM
22 BOARD CHAIR

23
24 **Right to Judicial Review**

25 **NOTICE:** You are entitled to judicial review of this Order. Judicial review may be obtained by filing a
26 petition for review with the Oregon Court of Appeals within 60 days after the final order is served upon
27 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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
RICHARD KELLY STAGGENBORG, MD) INTERIM STIPULATED ORDER
LICENSE NO. MD20053)
)

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. Richard Kelly Staggenborg, MD (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(17).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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.

6.

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

IT IS SO STIPULATED THIS 21 day of October, 2010.

Signature
Redacted

RICHARD KELLY STAGGENBORG, MD

IT IS SO ORDERED THIS 22nd day of October, 2010.

State of Oregon
OREGON MEDICAL BOARD

Signature
Redacted

KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR