



OREGON MEDICAL BOARD

Report

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Fall 2009

www.oregon.gov/OMB

Online Renewals Up and Running!

Two years of preparation leads to the launch of online license renewal at the Oregon Medical Board.

On Wednesday, October 7, the Oregon Medical Board flipped the switch on its new Online Renewal system. Oregon Medical Board members tested the system. Much to the pleasure of staff, Board members were successful in their renewals.

By flipping the switch early, and even quietly, renewals began at a slower pace which ensured the capacity to deal with any glitches that might have arisen with the new system. Thankfully, glitches in the system have been minor and easily resolved.

The most frequent question is regarding the new fee put forth by the Oregon Department of Human Resources (DHS). The "Prescription Monitoring Program" fee was established by the Oregon Legislature during its 2009 session, and is enforced by Oregon DHS. The \$50 that licensees are paying will go directly to DHS for creation of the new program. The new program will track prescriptions dispensed for drugs classified in schedules II through IV.

The Online Renewal system is currently open to all licensees. Postcards have been sent in batches to remind licensees of their obligation to renew, but there is no need to wait for a postcard. Simply visit www.oregon.gov/omb and look for the Renewal link to begin. On average, the renewal process will take about 10-15 minutes. Licensees will need to know their licensee number (MDxxxx, DOxxxx, etc.), date of birth, and social security number (to be used as the initial password). The social security number will **only** be used on the initial login, and is kept confidential through online encrypting of the information.

By mid November, 6787 licensees, out of more than 16,000, had successfully completed their renewal using the online system. Comments from licensees have been very positive. ♦

Online·Renewal

Visit www.oregon.gov/OMB or call
(971) 673-2700 or (877) 254-6263
Mandatory CME with 2011 renewal

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Health Professionals Program will Transfer to DHS

On July 1, 2010, the Oregon Health Professionals Program will become a program of the Oregon Department of Human Services.

By virtue of HB 2345, brought forth during the 2009 Legislature, the current HPP program will be dissolved and the new Impaired Health Professionals Program (IHPP) will take its place.

HB 2345 states that no health licensing board may have an individual health professionals program. Instead, health regulatory boards that wish to have a program will be required to send participants to the new IHPP. The details of the new program are still developing. DHS will release a Request for Proposal (RFP) in early November, detailing the expectations of the new program.

Current HPP participants who are under Board order will be transferred to the new system. Participants who are on voluntary contracts will have the option to end the contract on June 30, 2010 or continue with the new IHPP. HPP staff is working closely with DHS staff to ensure a smooth transition for participants. ♦

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EMTs to Vaccinate Against H1N1, Seasonal Flu

At the October quarterly Board meeting, EMT Advisory Committee members presented a temporary Oregon Administrative Rule to the Oregon Medical Board. This rule allows EMTs (Intermediates and Paramedics) to provide vaccines to the public.

Board members agreed that EMTs should be active participants in the fight against this season's flu pandemic. They also decided that vaccinations provided by EMTs should be limited to seasonal and H1N1 flu vaccines, and that this program will be reevaluated June 30, 2010. ♦

Continuing Medical Education for Podiatrists

As a reminder, podiatric physicians and surgeons are currently required to complete CME. ORS 677.837 states that DPMs shall complete at least 50 hours in an approved program of continuing podiatric education every two calendar years. Podiatrists should be prepared to show proof of satisfying this requirement in the case of an audit during the 2009 renewal.

For more information on CME requirements, please see page 4. ♦

Licensure by Expedited Endorsement Coming to the OMB

During the 2009 session, Legislators introduced HB 2435, which directs the Oregon Medical Board to create a program to license physicians in a more expedited manner. Since the passage of that legislation on June 26, staff at the OMB have worked feverishly and enthusiastically to develop the new program.

At its October 2009 meeting, the Oregon Medical Board reviewed the first draft of the Oregon Administrative Rules (OARs) that further defines this legislation. The proposed language allows for qualified applicants who have practiced in another state to forego primary source verification of core credentials. Eligible applicants would not be required to provide a Dean's letter from their medical school, or residency evaluation.

To be eligible, an applicant must be either specialty board certified or be eligible for primary source verification of core credentials from the state in which the physician was originally licensed; be in good standing in all other states licensed; have no significant malpractice claims; and have one continuous year of current, active clinical practice.

The complete proposed OAR language can be found on our website at www.oregon.gov/omb. ♦

Visit
www.oregon.gov/OMB

Update on Continuing Medical Education Requirements

In its ongoing effort to assure the public that Oregon physicians and other licensees are keeping up to date, the Board has instituted mandatory CME. Reporting begins in 2011.

At its October 2009 quarterly meeting, Oregon Medical Board members further defined the Oregon Administrative Rule regarding CME requirements. The following changes were adopted:

- The American Board of Podiatric Surgery was removed as a recertifying specialty board requiring CME. This board does not require CME, so it is not eligible to be defined under boards that recertify. If you are a member of this board, you will be required to take 60 hours of Category 1 CME every two years.
- Licensees serving in the military who are deployed outside Oregon for 90 days or more are exempt from the requirement for that individual reporting period.
- Licensees in residency training programs will be exempt from the CME requirements.

Remember, the requirements for CME will not take affect until the 2011 renewal. At that time, licensees should be prepared to show proof of CME hours if audited.

For more information on CME requirements or to read the proposed rule, please visit our website at www.oregon.gov/omb. ♦

FAQs from the OMB

Since the OMB is immersed in online renewal, we decided to use this FAQ to explore the OMB website.

If you have other questions or issues you would like addressed, please contact the OMB and we would be happy to tackle the question in a future issue of the newsletter. Email us at omb.info@state.or.us or call us at (971) 673-2700 or toll free at (877) 254-6263.

Q. “How do I find more information about OMB’s online renewal process?”

A. The OMB’s website is www.oregon.gov/omb. Once you are at the site, under **Applicants and Licensees**, the first link is for **RENEWAL**. This link will lead you to the online renewal system as well as a plethora of information about the renewal process.

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It’s The Law

You must notify the OMB within 30 days of changing your practice address or mailing address.

To help ensure that you receive your license renewals and other important information on time, visit our website at <http://www.oregon.gov/OMB/techMed.shtml>, and click on **Online Address Changes** to update your information.

Board Actions

August 16 to October 15, 2009

Disciplinary Orders

Reportable to the National Practitioner Data Bank (NPDB)

CERVI-SKINNER, Steven G., MD; MD24824

Phoenix, AZ

Licensee entered into a Stipulated Order with the Board on September 3, 2009. This Order reprimanded Licensee and imposed a \$2,000 fine. Licensee was placed on 30 years probation with quarterly reports to the Board. The quarterly reports are stayed as long as Licensee maintains an inactive Oregon medical license. Licensee will not supervise physician assistants in Oregon. Licensee will not treat patients for chronic pain. Licensee may treat patients for acute pain and may not prescribe controlled substance to treat pain for more than 14 days in duration.

CLARK, Thomas Leonard, MD; MD15528

White City, OR

Licensee entered into an Interim Stipulated Order with the Board on August 27, 2009. In this Order Licensee agreed to voluntarily withdraw from practice pending the conclusion of the Board's investigation.

CLARK, Thomas Leonard, MD; MD15528

White City, OR

Licensee entered into a Stipulated Order with the Board on September 3, 2009. In this Order Licensee agreed to retire his Oregon medical license while under investigation. Licensee will not practice any form of medicine, to include administrative medicine, and independent

medical examinations. Licensee is prohibited from applying for a medical license in Oregon for a period of two years. Should Licensee re-apply, the Board's investigation will be reopened.

HENRY, 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.

LAI, Wallace, MD; MD17813

Beaverton, OR

Licensee entered into an Interim Stipulated Order with the Board on August 29, 2009. In this Order Licensee voluntarily withdraws from the practice of medicine and the medical license of Licensee is placed in inactive status pending the completion of the Board's investigation.

LITWER, Lawrence Ronald, MD; MD16741

Newberg, OR

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.

MCDUGALL, William Edwin, DO; DO24746

Brookings, OR

Licensee entered into an Interim Stipulated

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Board Actions

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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.

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.

YANKEE, Joseph Earl, DO; DO19458

Oregon City, 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.

Corrective Action Agreements

At its July 2009 meeting, the Oregon Medical Board unanimously voted to approve changing the name of Corrective Action Orders to Corrective Action Agreements, signifying that these documents are not disciplinary orders, nor are they reported to the National Practitioner Data Bank (NPDB). Corrective Action Orders/Agreements are public agreements issued with the goal of remediating problems in licensees' individual practices.

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.

PURTZER, 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

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Board Actions

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complete the Physicians Evaluation Education and Renewal (PEER) program of the Oregon Medical Association. This is not a disciplinary action.

TOBIAS, Angela Lynn, MD; MD26981

Olympia, WA

Licensee entered into a Corrective Action Agreement with the Board on September 3, 2009. This Order requires Licensee to maintain timely and accurate patient charts. Licensee is required to present this Order to any employer in the health care field. This order will remain in effect for seven years. Licensee will also be subject to unannounced compliance inspections. This is not a disciplinary action.

Voluntary Limitations

Voluntary Limitations are not disciplinary actions, but are reported to the National Practitioner Data Bank (NPDB).

BLATT, David Howard, MD; MD16833

Corvallis, OR

Licensee entered into a Voluntary Limitation with the Board on September 3, 2009. In this order Licensee agreed to limit his practice to counseling services. Licensee will not prescribe or formulate diagnoses for patients. This is not a disciplinary action.

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.

Prior Orders Modified or Terminated

DENISON, Darryl Bruce, PA; PA01059

Hermiston, OR

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

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.

WINTER, Brooke Candace, LAc; AC00120

Oregon City, OR

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.

Note: Copies of most Board Orders issued from 1998 to the present are available for viewing on the OMB website: www.oregon.gov/omb. ♦

FAQs

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Q. “As a first time applicant, how do I find out where my application is in the process?”

A. - From the home page, again under **Applicants and Licensees**, click on your licensee group (MD/DO/DPM/PA/LAc). This will take you to a screen specifically designed to share information about your profession. At the bottom of the page, there is a heading for **Status Information**, and under that is a link to the **Online Status Report**. This Report not only gives you an update on your application status, it also allows you to update your address online!

Q. “I am interested in attending the next Board/committee meeting. How do I find out the dates?”

A. - On the far left side of the home page, there is a link called **Board Meeting Info**. This link provides dates of upcoming meetings, along with committee assignments and committee meeting minutes. ♦



Statements of Purpose

The mission of the Oregon Medical Board is to protect the health, safety and well being of Oregon citizens by regulating the practice of medicine in a manner that promotes quality care.

The *OMB Report* is published to help promote medical excellence by providing current information about laws and issues affecting medical licensure and practice in Oregon.



Oregon Administrative Rules

Rules proposed and adopted by the Oregon Medical Board.

About OARs

The Oregon Medical Board and other state regulatory agencies operate under a system of administrative rules, in order to ensure fairness and consistency in their procedures and decisions. Periodically, these Oregon Administrative Rules (OAR) must be amended and/or expanded in response to changing standards and circumstances.

OARs are written and amended in accordance with state laws (Oregon Revised Statutes or ORS), which may be enacted, amended or repealed only by the Legislature.

Temporary Rules

The Board adopted these rule by temporary rule adoption, and approved the First Review of this rule at the same time. Rules approved by temporary rule adoption must follow the same procedure for regular rule adoption, by going through a First and a Final Review within the 180 days allowed by the temporary rule adoption procedure before being permanently adopted.

Physician (MD/DO), Podiatric Physician and Surgeon (DPM) & Physician Assistant (PA)

OAR 847-005-0005, Supervision — The adopted rule change adds a \$25.00 per year fee for the Electronic Prescription Monitoring Program

for licensees (physicians, podiatric physicians and physician assistants) authorized to prescribe or dispense controlled substances. Licensees with Active, Locum Tenens, Telemonitoring, Teleradiology, Telemedicine and Emeritus status are included. Licensees with a Limited License are not included. *(Adopted September 3, 2009)*

Physician (MD/DO)

OAR 847-026-0000, Rules for License by

Expedited Endorsement — The temporary rules are in response to House Bill 2435 (2009) and outline the requirements for expedited licensure by endorsement. *(Adopted October 9, 2009)*

Emergency Medical Technicians (EMT)

OAR 847-035-0030, Scope of Practice — The temporary rule amendment adds language to the EMT-I and EMT-P scopes of practice to distribute medications and to provide seasonal and pandemic influenza vaccinations to the general public as directed by the Oregon State Public Health Officer and / or the CDC Advisory Committee until June 30, 2010. *(Adopted October 9, 2009)*

Proposed Rules

First Review

The Board discussed these rule proposals on First Review, and passed them to Final Review.

Physician (MD/DO), Podiatric Physician and Surgeon (DPM) & Physician Assistant (PA)

OAR 847-005-0005, Supervision — SEE Temporary Rules.

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Oregon Administrative Rules

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All Licensees (MD/DO, DPM, PA, LAc)

OAR 847-010-0073, Reporting Incompetent or Impaired Licensees to the Board — The proposed rule amendments are in response to House Bill 2059 (2009). Amendments require report to Board by licensee of any arrest for a felony crime or any conviction for a misdemeanor or felony and report to other health care licensing boards if licensee believes another state licensed health care professional has engaged in prohibited or unprofessional conduct and is not otherwise protected by state or federal laws relating to confidentiality or protection of health care information prohibiting disclosure.

Physician (MD/DO) & Podiatric Physician and Surgeon (DPM)

OAR 847-008-0023, Telemonitoring Registration

— The proposed rule amendment corrects the license type to Active-Telemonitoring.

Physician (MD/DO)

OAR 847-026-0000, Rules for License by Expedited Endorsement — SEE Temporary Rules.

First Responders & Emergency Medical Technicians (FR, EMT)

OAR 847-035-0030, Scope of Practice — SEE Temporary Rules.

Adopted Rules

Final Review

All Licensees (MD/DO, DPM, PA, LAc)

OAR 847-008-0070, Continuing Medical Competency (Education) — The adopted rule amendment establishes criteria for continuing medical competency for licensees of the Oregon Medical Board, and as the result of an audit of CME, the steps for obtaining compliance with CME rules if the audit shows a deficiency in licensee's CME hours.

OAR 847-065-0005, Licensees with Mental

Illness — The adopted rule allows licensees to remain in an inpatient treatment facility beyond 25 consecutive days without an automatic suspension of their license if the licensee is in compliance with the Health Professionals Program (HPP) and is not in practice. If HPP determines a licensee has a mental illness that affects their ability to practice medicine safely they will request the licensee withdraw from practice; if licensee refuses, the licensee shall be reported to the Oregon Medical Board with a copy of the mental health evaluation.

Physician (MD/DO) & Podiatric Physician and Surgeon (DPM)

OAR 847-010-0051, Limited License,

Postgraduate; OAR 847-010-0066, Visiting

Physician Requirements — The adopted rule amendment increases the training year to thirteen months to allow training programs that train for 54 + weeks to have their postgraduate trainees pay for one Limited License, Postgraduate instead of needing to apply and pay for two limited licenses, and to allow flexibility in starting and ending dates for

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Oregon Administrative Rules

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postgraduates coming in from out-of-state or out-of-country. The adopted rule amendment allows for a visiting physician from out-of-state or out-of-country to obtain or provide training under the supervision of an actively licensed Oregon physician for up to thirty days per year.

Physician Assistant (PA)

OAR 847-050-0037, Supervision — The adopted rule amendment changes on-site supervision of the physician assistant by the supervising physician from a minimum of four hours every two weeks to eight hours every month, or as approved by the Board.

First Responders & Emergency Medical Technicians (FR, EMT)

OAR 847-035-0011, EMT Advisory Committee;
OAR 847-035-0030, Scope of Practice — The adopted rule amendments 1) delete outdated terms of office (2002, 2003 and 2004) for the initial members of the EMT Advisory Committee; 2) clarify language in the EMT-I scope of practice allowing electrocardiographic rhythm interpretation; 3) add the anti-emetic drug Ondansetron to the EMT-I scope of practice; and 4) add electrocardiographic interpretation to the EMT-P scope of practice.

For more information on OARs, visit the OMB website at www.oregon.gov/OMB, or call (971) 673-2700.

If you are interested in automatically receiving email updates regarding OARs, please go to <http://www.oregon.gov/OMB/proposedrules.shtml> to sign up. ♦

For more information about the Oregon Medical Board

Contact

1500 SW First Ave.,
Suite 620

Portland, Oregon 97201

971-673-2700

1-877-254-6263

omb.info@state.or.us



Visit

www.oregon.gov/OMB



CALENDAR OF MEETINGS

December

3 - Thursday
Investigative Committee
8 a.m.

4- Friday
Acupuncture Advisory
Committee
12:00 p.m.

9- Wednesday
Administrative Affairs
Committee
5:00 p.m.

10- Thursday
Physician Assistant
Advisory Committee
9:30 a.m.

January

12 - Tuesday
HPP Supervisory Council
9 a.m.
SW Hampton St., Suite 130,
Tigard, (503) 620-9117

14 & 15 - Thurs. and Friday
Medical Board
8 a.m.

20- Wednesday
Liaison Committee
6 p.m.

February

3- Wednesday
Liaison Committee
6 p.m.

4 - Thursday
Investigative Committee
8 a.m.

12 - Friday
EMT Advisory Committee
9 a.m.

*All meetings are at the
OMB offices in Portland,
unless otherwise indicated.*