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office*

BEFORE THE  
BOARD OF NATUROPATHIC EXAMINERS  
STATE OF OREGON

In the Matter of the License to )  
Practice Naturopathic Medicine of )  
STEVEN McCLURE, N.D. ) FINAL ORDER  
Licensee. )  
\_\_\_\_\_ )

On June 3, 1994, the Oregon Board of Naturopathic Examiners (Board) served Steven McClure, N.D. (Licensee), with an EMERGENCY SUSPENSION ORDER (attached as Exhibit A) pursuant to ORS 183.430(2). In the EMERGENCY SUSPENSION ORDER the Board alleged that Licensee committed acts which presented a serious danger to the health or safety of the public. The Board provided Licensee with 90 days to contest the EMERGENCY SUSPENSION ORDER, pursuant to ORS 183.430(2).

On August 30, 1994, Licensee requested a hearing on the Board's EMERGENCY SUSPENSION ORDER. Exhibit B. A hearing on the EMERGENCY SUSPENSION ORDER was scheduled for November 7, 1994.

On November 4, 1994, Licensee withdrew his request for a hearing on the Board's EMERGENCY SUSPENSION ORDER. Exhibit C.

In light of the above, the Board ORDERS:

The license of Steven McClure, N.D. is hereby suspended for the following reasons:

1. The Drug Enforcement Administration (DEA) assigned Licensee a DEA registration number BM1903663, on July 17, 1989. Licensee's DEA registration expired on January 31, 1992. The DEA has not assigned Licensee any other DEA registration number.

1           2.     Since February 1, 1992, Licensee has prescribed Class  
2     III, controlled substances, including, but not limited to the  
3     following:

4           A.     On October 25, 1993, Licensee prescribed 40 (forty) 7.5  
5     mgs of Lortab, R No. 4414869. Lortab contains hydrocodone  
6     Bitartrate and is a controlled substance, class III drug. Licensee  
7     did not have authority to prescribe said drug without a DEA  
8     registration number, in violation of 21 USC 822(a)(2);

9           B.     On November 1, 1993, Licensee prescribed 40 (forty) 7.5  
10    mgs of Lortab, R No. 1405059. Lortab contains hydrocodone  
11    Bitartrate and is a controlled substance, class III drug. Licensee  
12    did not have authority to prescribe said drug without a DEA  
13    registration number, in violation of 21 USC 822(a)(2);

14          C.     On November 26, 1993, Licensee prescribed 40 (forty) 7.5  
15    mgs of Lortab, R No. 4405390. Lortab contains hydrocodone  
16    Bitartrate and is a controlled substance, class III drug. Licensee  
17    did not have authority to prescribe said drug without a DEA  
18    registration number, in violation of 21 USC 822(a)(2);

19          D.     On December 7, 1993, Licensee prescribed 40 (forty) 7.5  
20    mgs of Lortab, R No. 4412303. Lortab contains hydrocodone  
21    Bitartrate and is a controlled substance, class III drug. Licensee  
22    did not have authority to prescribe said drug without a DEA  
23    registration number, in violation of 21 USC 822(a)(2);

24          E.     On January 14, 1994, Licensee prescribed 40 (forty) 7.5  
25    mgs of Lortab, R No. 4413337. Lortab contains hydrocodone  
26    Bitartrate and is a controlled substance, class III drug. Licensee

1 did not have authority to prescribe said drug without a DEA  
2 registration number, in violation of 21 USC 822(a)(2);

3 F. On January 18, 1994, Licensee prescribed 40 (forty) 7.5  
4 mgs of Lortab, R No. 4411222. Lortab contains hydrocodone  
5 Bitartrate and is a controlled substance, class III drug. Licensee  
6 did not have authority to prescribe said drug without a DEA  
7 registration number, in violation of 21 USC 822(a)(2);

8 G. On January 31, 1994, Licensee prescribed 40 (forty) 7.5  
9 mgs of Lortab, R No. 144015. Lortab contains hydrocodone  
10 Bitartrate and is a controlled substance, class III drug. Licensee  
11 did not have authority to prescribe said drug without a DEA  
12 registration number, in violation of 21 USC 822(a)(2);

13 H. On February 7, 1994, Licensee prescribed 40 (forty) 7.5  
14 mgs of Hydrocodone with Acetaminophen, R No. 4411720, a controlled  
15 substance, class III drug. Licensee did not have authority to  
16 prescribe said drug without a DEA registration number, in violation  
17 of 21 USC 822(a)(2);

18 I. On February 21, 1994, Licensee prescribed 40 (forty) 7.5  
19 mgs of Hydrocodone with Acetaminophen, R No. 4414327, a controlled  
20 substance, class III drug. Licensee did not have authority to  
21 prescribe said drug without a DEA registration number, in violation  
22 of 21 USC 822(a)(2);

23 J. On February 25, 1994, Licensee prescribed 40 (forty) 7.5  
24 mgs of Lortab, R No. 4406843. Lortab contains hydrocodone  
25 Bitartrate and is a controlled substance, class III drug. Licensee  
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1 did not have authority to prescribe said drug without a DEA  
2 registration number, in violation of 21 USC 822(a)(2);

3 K. On March 7, 1994, Licensee prescribed 40 (forty) 7.5 mgs  
4 of Hydrocodone with Acetaminophen, R No. 4412539, a controlled  
5 substance, class III drug. Licensee did not have authority to  
6 prescribe said drug without a DEA registration number, in violation  
7 of 21 USC 822(a)(2);

8 L. On March 26, 1994, Licensee prescribed 40 (forty) 7.5 mgs  
9 of Hydrocodone with Acetaminophen, R No. 4413131, a controlled  
10 substance, class III drug. Licensee did not have authority to  
11 prescribe said drug without a DEA registration number, in violation  
12 of 21 USC 822(a)(2);

13 M. On March 26, 1994, Licensee prescribed 40 (forty) 7.5 mgs  
14 of Hydrocodone with Acetaminophen, R No. 4415264, a controlled  
15 substance, class III drug. Licensee did not have authority to  
16 prescribe said drug without a DEA registration number, in violation  
17 of 21 USC 822(a)(2);

18 N. On April 6, 1994, Licensee prescribed 40 (forty) 7.5 mgs  
19 of Lortab, R No. 4420898. Lortab contains hydrocodone Bitartrate  
20 and is a controlled substance, class III drug. Licensee did not  
21 have authority to prescribe said drug without a DEA registration  
22 number, in violation of 21 USC 822(a)(2);

23 O. On April 26, 1994, Licensee prescribed 40 (forty) 7.5 mgs  
24 of Lortab, R No. 4407899. Lortab contains hydrocodone Bitartrate  
25 and is a controlled substance, class III drug. Licensee did not  
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1 have authority to prescribe said drug without a DEA registration  
2 number, in violation of 21 USC 822(a)(2);

3 P. On April 26, 1994, Licensee prescribed 40 (forty) 7.5 mgs  
4 of Lortab, R No. not provided. Lortab contains hydrocodone  
5 Bitartrate and is a controlled substance, class III drug. Licensee  
6 did not have authority to prescribe said drug without a DEA  
7 registration number, in violation of 21 USC 822(a)(2);

8 Q. On April 26, 1994, Licensee prescribed 40 (forty) 7.5 mgs  
9 of Lortab, R No. not provided. Lortab contains hydrocodone  
10 Bitartrate and is a controlled substance, class III drug. Licensee  
11 did not have authority to prescribe said drug without a DEA  
12 registration number, in violation of 21 USC 822(a)(2).

13 3. The above described acts of Licensee constitute repeated  
14 conduct or practice that is contrary to a recognized standard of  
15 practice which does or might constitute a danger to the health or  
16 safety of a patient or the public in violation of ORS 685.110(15)  
17 in that:

18 A. Licensee has committed an unlawful act under 21 USC  
19 841(a)(1) in that Licensee knowingly or intentionally dispensed a  
20 controlled substance.

21 B. Licensee has committed an unlawful act under 21 USC  
22 843(a)(2) in that Licensee knowingly or intentionally used in the  
23 course of the dispensing of a controlled substance, a registration  
24 number which is expired.

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1 C. Hydrocodone is an addictive drug, the unlawful dispensing  
2 of which, described in Paragraph 2, above, is or might be  
3 dangerous:

4 (1) directly to the health of the members of the public  
5 who ingest it;

6 (2) directly to the safety of members of the public who  
7 ingest it and act under its influence;

8 (3) indirectly to members of the public who might come  
9 into injurious contact with users who are under the influence.

10 4. Licensee is currently on probation for a three-year  
11 period beginning on April 14, 1994. As a condition of the  
12 probation, Licensee was ordered to refrain from violating ORS  
13 chapter 685 and the Board's Administrative Rules, chapter 850;

14 5. On April 26, 1994, Licensee violated the terms of his  
15 probation by prescribing 40 (forty) 7.5 mgs of Lortab as set forth  
16 in Paragraph 2(O), without a DEA registration number; and

17 6. On April 26, 1994, Licensee violated the terms of his  
18 probation by prescribing 40 (forty) 7.5 mgs of Lortab as set forth  
19 in Paragraph 2(P), without a DEA registration number; and

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1           7.    On April 26, 1994, Licensee violated the terms of his  
2 probation by prescribing 40 (forty) 7.5 mgs of Lortab as set forth  
3 in Paragraph 2(Q), without a DEA registration number.

4           DATED this 30<sup>th</sup> day of January, 1995.

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6                                   BOARD OF NATUROPATHIC EXAMINERS  
7                                   State of Oregon

8           By: Signature on file  
9                                   Kathleen Soderberg  
10                                  Executive Director

11           NOTICE: You are entitled to judicial review of this Final Order  
12 pursuant to the provisions of ORS 183.480. Judicial review may be  
13 obtained by filing a petition in the Oregon Court of Appeals. The  
14 petition must be filed within 60 days from the date of service of  
15 this Final Order.  
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