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BEFORE THE  
BOARD OF NATUROPATHIC EXAMINERS  
STATE OF OREGON

In the Matter of:

JONATHAN M. HANSEL, N.D.,  
Licensee.

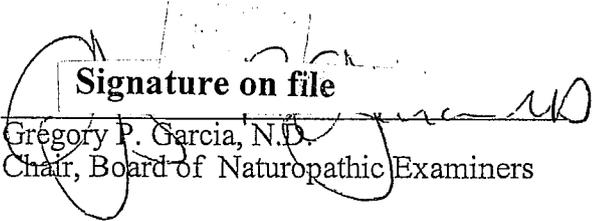
Case No. N01-12-0701

FINAL ORDER INCORPORATING  
SETTLEMENT AGREEMENT

Based on the attached Settlement Agreement, which is incorporated herein, the Board of Naturopathic Examiners of the State of Oregon finds that Jonathan M. Hansel, N.D. has violated ORS 685.110(15) as alleged in the Notice of Proposed Disciplinary Action on file in this proceeding and that no hearing is required.

It is, therefore, ORDERED that pursuant to ORS 685.110, six months of probation and license limitation be imposed with conditions set forth in the attached Settlement Agreement.

DATED this 8<sup>th</sup> of October, 2002.

  
**Signature on file**

Gregory P. Garcia, N.D.  
Chair, Board of Naturopathic Examiners

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BEFORE THE  
BOARD OF NATUROPATHIC EXAMINERS  
STATE OF OREGON

In the Matter of :

JONATHAN M. HANSEL, N.D.  
Licensee.

Case No. N01-12-0701

SETTLEMENT AGREEMENT

The Board of Naturopathic Examiners of the State of Oregon (Board) and Jonathan M. Hansel, N.D. do hereby agree and stipulate as follows:

1. A Notice of Proposed Disciplinary Action of License has been served on Dr. Hansel.
2. The Notice of Proposed Discipline alleges violation of ORS 685.110.
3. The Board and Dr. Hansel are willing to settle this matter.
4. Dr. Hansel does not contest violation of ORS 685.110(15) alleged in the Notice and agrees that the Board may enter an order finding that this violation was committed as alleged in the Notice.
5. The Board and Dr. Hansel agree that the Board will impose a six-month probation and license limitation with the following conditions:
  - a) Dr. Hansel will only perform negative galvanic treatment, electrotherapy or minor surgery for anal or perianal procedures under the direct supervision of Steven Gardner, N.D.
  - b) Dr. Hansel will provide to the Board documentation for 25 anal/perianal treatments using negative galvanic treatment performed under the direct supervision of Steven Gardner, N.D.
  - c) Dr. Hansel will provide documentation after each negative galvanic treatment performed under the supervision of Steven Gardner, N.D.

///

1 d) Dr. Hansel will provide a statement of competency from Steven Gardner,  
2 N.D. specific to the use of negative galvanic treatment of anal/perianal  
3 conditions.

4 6. The period of probation and license limitation may terminate earlier than six  
5 months if the conditions in paragraph 5 have been fully complied with. Conversely, the period  
6 of probation and license limitation may be extended beyond six months if the conditions in  
7 paragraph 5 have not been fully complied with.

8 7. Any costs incurred in the supervision by Steven Gardner N.D. or any other costs  
9 incurred related to this probation and license limitation are the responsibility of Dr. Hansel.

10 8. ) Dr. Hansel waives all rights to a contested case hearing or any further appeal.

11 **Signature on file**

12  
13 Gregory P. Garcia, N.D.  
14 Chair, Board of Naturopathic Examiners

10-08-02  
Date

15 **Signature on file**

16 Jonathan M. Hansel, N.D.

October 3, 2002  
Date

17  
18 Approved as to form only

19 **Signature on file**

20 E. Shane Keeder, P.C.  
21 Attorney for Jonathan M. Hansel, N.D.



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BEFORE THE  
BOARD OF NATUROPATHIC EXAMINERS  
STATE OF OREGON

In the Matter of the License of	)	Case No. N01-12-0701
	)	
JONATHAN M HANSEL, N.D.,	)	NOTICE OF PROPOSED
	)	DISCIPLINARY ACTION
Licensee.	)	

1.

The Board of Naturopathic Examiners (Board) is the state agency responsible for licensing, regulating and disciplining naturopathic physicians in the State of Oregon. Jonathan M. Hansel, ND. (Licensee) is a licensed naturopathic physician currently practicing in Portland, Oregon, and is subject to the jurisdiction of the Board.

2.

Pursuant to ORS 685.110, the Board proposes to Limit the License of Licensee and impose Probation on License of Licensee.

3.

On or about September 11, 2001 Licensee treated A.H. for hemorrhoids. Licensee treated A.H. using negative galvanic treatment.

4.

Licensee was negligent in use of negative galvanic treatment on A.H.

5.

Licensee is in violation of ORS 685.110(8) (negligence related to the practice of naturopathic medicine) and ORS 685.110(15) (conduct or practice contrary to recognized standards of ethics of the profession or might constitute a danger to the health or safety of a patient).

6.

The Board proposes to impose probation and limit Licensee's license pursuant to ORS

1 685.110.



2 7.

3 The period of probation and license limitation is six (6) months.

4 8.

5 The limitation prohibits Licensee from the use of negative galvanic treatment,  
6 electrotherapy or minor surgery for anal or perianal procedures except under the direct  
7 supervision of a Board approved licensed medical practitioner.

8 9.

9 A condition of probation requires Licensee to provide to the Board documentation for a  
10 minimum of 25 anal/perianal treatments using negative galvanic treatment performed under the  
11 direct supervision of a Board approved licensed medical practitioner.

12 10.

13 Another condition of probation requires Licensee to provide a statement of competency  
14 from the Board approved supervising licensed medical practitioner specific to the use of negative  
15 galvanic treatment of anal/perianal conditions.

16 11.

17 The six (6) month limitation and probationary period begins on the date the Final  
18 Order is signed by the Board.

19 12.

20 Failure to comply with the limitation or conditions of probation may result in  
21 further disciplinary action by the Board.

22 13.

23 Licensee may request the Board to consider early termination after meeting all conditions  
24 of this probation.

25  
26 **NOTICE OF RIGHT TO HEARING**

12.

Licensee has the right, if Licensee requests, to a hearing as provided by the

Administrative procedures Act (ORS Chapter 183) before the Board or its hearing officer to

contest the matters set out above. At the hearing, Licensee may be represented by an attorney,  
1 and may subpoena and cross-examine witnesses. A request for hearing must be made in writing  
2 to the Board, and must be received by the Board within 21 days from the date of mailing of this  
3 notice (or if not mailed, the date of personal service), and must be accompanied by a written  
4 answer to the charges contained in this Notice. Upon receipt of a request for hearing, the Board  
5 will notify licensee of the time and place of the hearing. If Licensee requests a hearing, Licensee  
6 will be given, prior to the commencement of the hearing, information on the procedures, right of  
7 representation, and other rights of parties relating to the conduct of the hearing as required by  
8 ORS 183.413(2).

9  
10 13.

The answer shall be made in writing to the Board and shall include an admission or  
11 denial of each factual matter alleged in this Notice, and a short plain statement of each relevant  
12 affirmative defense Licensee may have. Except for good cause, factual matters alleged in this  
13 notice and not denied in the answer shall be presumed admitted; failure to raise a particular  
14 defense in the answer will be considered a waiver of such defense; and new matters alleged in  
15 the answer (affirmative defenses) shall be presumed to be denied by the agency and evidence  
16 shall not be taken on any issue not raised in the Notice and answer.

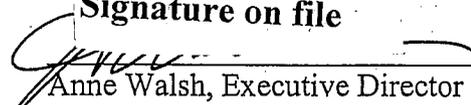
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18 14.

If Licensee fails to request a hearing within 21 days, or fails to appear as scheduled at the  
19 hearing, the Board may issue a final order by default and impose the above sanctions against  
20 Licensee. Upon default order of the Board or failure to appear, the contents of the Board's file  
21 regarding the subject of this case automatically becomes part of the evidentiary record of this  
22 disciplinary action for the purpose of proving a prima facie case. ORS 183.415(6).

23  
24 DATED this 26<sup>th</sup> day of June, 2002.

25  
26 BOARD OF NATUROPATHIC EXAMINERS  
State of Oregon

Signature on file

By:   
Anne Walsh, Executive Director