

Oregon Medical Board
BOARD ACTION REPORT
August 16, 2009 – September 15, 2009
Revised Report

The information contained in this report summarizes new, interim, and final actions taken by the Oregon Medical Board between **August 16, 2009 – September 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/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.

***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.

***CERVI-SKINNER, Steven, Gerald, 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 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, this investigation will be reopened.

***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.

***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.

TOBIAS, Angela, Lynn, MD, MD26981; Olympia, WA

Licensee entered into a Corrective Action Order 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 healthcare 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.

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the matter of,)
DAVID HOWARD BLATT, MD) VOLUNTARY LIMITATION
LICENSE NO. MD16833)

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. David Howard Blatt, MD (Licensee) is a licensed physician in the state of Oregon.

2.

Licensee is an anesthesiologist who holds an Inactive-Emeritus Oregon medical license. Licensee has not actively practiced since March of 2000. Licensee has requested that his Oregon license be returned to Active status and that limitations to his practice be attached to his license. Therefore, Licensee agrees to comply with the following conditions of voluntary limitation, pursuant to ORS 677.410, as follows:

2.1 Licensee will limit his practice of medicine to providing counseling services related to healthy and active living for healthy patients, as well as to patients with chronic medical conditions.

2.2 Licensee will not prescribe or formulate diagnoses for patients.

2.3 Licensee shall obey all federal and Oregon state laws and regulations pertaining to the practice of medicine.

2.4 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for disciplinary action under ORS 677.190(18).

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Licensee understands that this is not a disciplinary action, but it is a public record and is reportable to the National Practitioner Data Bank (NPDB) and/or the Healthcare Integrity and Protection Data Bank (HIPDB). This Order becomes effective the date it is signed by the Board Chair.

IT IS SO STIPULATED this 24th day of AUGUST, 2009.

Signature Redacted on Copies
DAVID HOWARD BLATT, MD

IT IS SO ORDERED this 3 day of September, 2009.

OREGON MEDICAL BOARD
State of Oregon

Signature Redacted on Copies
DOUGLAS B. KIRKPATRICK, MD
BOARD CHAIR

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
STEVEN GERALD CERVI-SKINNER, MD) STIPULATED ORDER
LICENSE NO MD 24824)

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. Steven Gerald Cervi-Skinner, MD (Licensee) is a licensed physician in the state of Oregon.

2.

The Board proposed taking disciplinary action 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 188(4)(a); ORS 677.190(16) disciplinary action by another state of a license to practice based upon acts by the licensee similar to acts violating any provision of ORS §§ 677.010 - 677.990; ORS 677.190(18) willfully violating any provision of this chapter; and ORS 677.190(26) failure by licensee to report to the Board any adverse action taken against licensee by another licensing jurisdiction for acts or conduct similar to acts that would constitute grounds for disciplinary action.

3.

Licensee has held an active medical license in Oregon, but his primary practice location was in Phoenix, Arizona. The Board opened an investigation after learning that Licensee had entered into a consent agreement with the Arizona Medical Board. The acts and conduct alleged to violate the Medical Practice Act are as follows:

3.1 The Arizona Medical Board opened an investigation in October 2004 after receiving a complaint that a physician assistant who worked at Lakeside Primary Care

1 clinic was inappropriately prescribing Schedule II and III medications for chronic pain
2 patients. Licensee was the supervising physician for this physician assistant. The
3 Arizona Medical Board opened a case in regard to Licensee after it determined that
4 Licensee had failed to appropriately supervise this physician assistant and had never been
5 inside the Lakeside Primary Care clinic located over 180 miles from Phoenix, Arizona.
6 On November 29, 2005, the Arizona Medical Board informed Licensee by letter that an
7 investigation regarding professional conduct had been opened. Arizona investigators
8 interviewed Licensee on December 15, 2005 in regard to allegations of professional
9 misconduct. Licensee informed investigators that he reviewed the patient charts of the
10 physician assistant and signed each chart he reviewed. A random review of six patient
11 charts did not reveal any signature by Licensee to verify that he had supervised the
12 delivery of care by the physician assistant to patients. Based on the facts of the case, the
13 Arizona medical consultant determined that Licensee provided inadequate supervision for
14 failing to review patient charts. The medical consultant also found potential harm, but
15 not actual harm, with inadequate supervision and medical record keeping.

16 3.2 Licensee entered into a Consent Agreement for Decree of Censure, Practice
17 Restriction and Probation with the Arizona Medical Board, which became effective on
18 February 7, 2008. In this Order, Licensee admitted that he prescribed Schedule II
19 controlled substances to chronic pain patients at the Lakeside clinic without first
20 conducting a physical examination and without knowledge about the Arizona Board's
21 guidelines for chronic pain treatment. Licensee stipulated that he deviated from the
22 standard of care and failed to properly supervise the physician assistant in the delivery of
23 care to five identified patients. Licensee was placed on probation for 30 years and
24 prohibited from supervising any physician assistant for 30 years.

25 3.3 Licensee failed to self report within 10 working days to the Board the official
26 action taken against his medical license by the Arizona Medical Board, in violation of
27 ORS 677.415(4).

1 4.

2 License and the Board desire to settle this matter by entry of this Stipulated Order.
3 Licensee understands that he has the right to a contested case hearing under the Administrative
4 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the
5 right to a contested case hearing and any appeal therefrom by the signing of and entry of this
6 Order in the Board's records. Licensee stipulates that he engaged in the conduct described in
7 paragraph 3 and that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable
8 conduct as defined in ORS 188(4)(a); ORS 677.190(16) disciplinary action by another state of a
9 license to practice based upon acts by the licensee similar to acts violating any provision of ORS
10 §§ 677.010 - 677.990; ORS 677.190(18) willfully violating any provision of this chapter; and
11 ORS 677.190(26) failure by licensee to report to the Board any adverse action taken against
12 licensee by another licensing jurisdiction for acts or conduct similar to acts that would constitute
13 grounds for disciplinary action.

14 5.

15 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order,
16 subject to the following sanctions and terms and conditions of probation:

17 5.1 Licensee is reprimanded.

18 5.2 Licensee will pay a fine of \$2,000 within 90-days from the date the Board Chair
19 signs this Order.

20 5.3 Licensee is placed on probation for thirty (30) years and shall report in person to
21 the Board at each of its quarterly meetings at the scheduled times for a probation
22 interview for any calendar year in which Licensee practices medicine in Oregon, unless
23 otherwise directed by the Board's Compliance Officer or its Investigative Committee.

24 5.4 Licensee may submit a request to revise this Stipulated Order with the Board in
25 the event the Arizona Medical Board amends its Consent Agreement with Licensee.

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1. 5.5 If Licensee maintains an inactive license in Oregon and does not practice
2 . medicine in this state, the requirement for Licensee to report for a quarterly probation
3 interview is stayed.

4 5.6 Licensee will not supervise physician assistants in Oregon.

5 5.7 Licensee will not treat patients for chronic pain. Licensee may only treat patients
6 for acute pain, and may not prescribe controlled substances to treat pain for more than 14-
7 days in duration.

8 5.8 Licensee shall obey all federal and Oregon laws and regulations pertaining to the
9 practice of medicine.

10 5.9 Licensee stipulates and agrees that any violation of the terms of this Order shall
11 be grounds for further disciplinary action under ORS 677.190(18).

12 6.

13 Licensee understands that this Order is a public record and is a disciplinary action that is
14 reportable to the National Practitioner Data Bank, Healthcare Integrity and Protection Data Bank
15 and the Federation of State Medical Boards.

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17 IT IS SO STIPULATED this 31st day of July, 2009.

18 Signature Redacted on Copies

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20 STEVEN GERALD CERVI-SKINNER, MD

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22 IT IS SO ORDERED this 3 day of September, 2009.

23 OREGON MEDICAL BOARD

24 (Signature Redacted on Copies

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26 DOUGLAS B. KIRKPATRICK, M.D.
27 Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
THOMAS LEONARD CLARK, MD) STIPULATED ORDER
LICENSE NO. MD15528)
)

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. Thomas Leonard Clark, MD (Licensee) is a licensed physician in the state of Oregon. Licensee is an internal medicine physician employed at the Veterans Affairs Southern Oregon Rehabilitation Center & Clinic in White City.

2.

The Board opened an investigation upon receiving credible information regarding Licensee's conduct that called his ability to practice medicine safely and competently into question. The Board's investigation reveals the following:

2.1 On or about July 23, 2009, Licensee was on duty at the Veteran Affairs Southern Oregon Rehabilitation Center, when he was observed by various staff members to be sedated. Licensee appeared to be impaired in the clinical setting, with slurred speech and poor concentration.

2.2 Based on these concerns, an intervention was initiated by facility medical staff. This intervention, which included a certified addictionologist, concluded with a recommendation that Licensee undergo a multi-disciplinary evaluation regarding his apparent impairment. Licensee has declined to submit to the evaluation and instead has

1 requested to be allowed to retire his medical license in lieu of further investigation or
2 action by the Board.

3 2.3 Licensee's impairment, if substantiated, would support a finding of violation of
4 the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable
5 conduct, as defined in ORS 677.188(4)(a) condition which does or might impair a
6 physician's ability to safely and skillfully practice medicine.

7 3.

8 License and the Board desire to settle this matter by entry of this Stipulated Order.

9 Licensee understands that he has the right to a contested case hearing under the Administrative
10 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the
11 right to a contested case hearing and any appeal there from by the signing of and entry of this
12 Order in the Board's records. Licensee denies, but the Board finds that Licensee's conduct as set
13 forth in paragraph 2 violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as
14 defined in ORS 677.188(4)(a), having a condition which does or might impair a physician's
15 ability to safely and skillfully practice medicine.

16 4.

17 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order
18 subject to the following conditions:

19 4.1 Licensee retires his license to practice medicine while under investigation.

20 4.2 Licensee is prohibited from applying for a medical license in Oregon for a period
21 of two years from the effective date of this Order.

22 4.3 Licensee understands that if he reapplies for licensure after the lapse of two years
23 from the effective date of this Order, the Board's investigation will be resumed and Licensee will
24 bear the burden of providing proof that he is safe and competent to practice medicine.

25 4.4 Licensee will not practice any form of medicine, to include administrative
26 medicine and independent medical examinations.

1 4.5 Licensee stipulates and agrees that any violation of the terms of this Order shall
2 be grounds for further disciplinary action under ORS 677.190(18).

3 5.

4 This Order becomes effective the date it is signed by the Board Chair. Licensee
5 understands that this Order is a public record and is a disciplinary action that is reportable to the
6 National Practitioner Data Bank, Healthcare Integrity and Protection Data Bank and the
7 Federation of State Medical Boards.

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10 IT IS SO STIPULATED THIS 2 day of Sept., 2009.

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Signature Redacted on Copies

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THOMAS LEONARD CLARK, MD

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IT IS SO ORDERED THIS 3 day of September, 2009

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OREGON MEDICAL BOARD
State of Oregon

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Signature Redacted on Copies

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DOUGLAS B. KIRKPATRICK, MD
Board Chair

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1 4.

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

6 5.

7 This Order is issued by the Board pursuant to ORS 677.265(1) and (2) for the purpose
8 of protecting the public, and making a complete investigation in order to fully inform itself with
9 respect to the performance or conduct of the Licensee and Licensee's ability to safely and
10 competently practice medicine. Pursuant to ORS 677.425, Board investigative materials are
11 confidential and shall not be subject to public disclosure, nor shall they be admissible as
12 evidence in any judicial proceeding. However, as a stipulation this Order is a public document.
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14 IT IS SO STIPULATED THIS 26 day of August, 2009.

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16 Signature Redacted on Copies

17 THOMAS LEONARD CLARK, MD

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19 IT IS SO ORDERED THIS 27th day of August, 2009.

20 State of Oregon
21 OREGON MEDICAL BOARD

22 Signature Redacted on Copies

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24 KATHLEEN HALEY, JD U
25 EXECUTIVE DIRECTOR
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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
WALLACE LAI, MD) INTERIM STIPULATED ORDER
LICENSE NO. MD17813)
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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. Wallace Lai, MD (Licensee) is a licensed physician in the state of Oregon.

2.

Licensee is a board certified internal medicine physician and currently practices at OHSU Cardiology at Tuality in Hillsboro, Oregon. The Board has recently opened an investigation into Licensee's conduct as a physician.

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 terms effective the date this Order is signed by Licensee:

3.1 Licensee voluntarily withdraws from the practice of medicine. The medical license of Licensee is placed in inactive status pending the completion of the Board's investigation.

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

3.3 Licensee understands that this Order becomes effective the date he signs it.

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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 29th day of August 2009

Signature Redacted on Copies

IT IS SO ORDERED THIS 15th day of Seph., 2009.

State of Oregon
OREGON MEDICAL BOARD

Signature Redacted on Copies

DA WILHEEN HALBY, JD
EXECUTIVE DIRECTOR