

Oregon Medical Board  
**BOARD ACTION REPORT**  
**March 15, 2010**

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

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**\*Ferrin, William, Myron, III, MD; MD17742; West Linn, OR**

Licensee entered into a Stipulated Order with the Board on March 4, 2010. The Board terminated Licensee's January 9, 2009 Interim Stipulated Order and returned Licensee to practice subject to terms and conditions.

**\*Larner, Albert, Ernest, MD; MD06331; Portland, OR**

Licensee entered into an Interim Stipulated Order with the Board on March 3, 2010. In this Order Licensee agreed to withdraw from practice pending completion of the Board's investigation into his ability to safely and competently practice medicine.

**\*Lhundup, Karma, Jampa, LAc; AC00845; Portland, OR**

The Board issued an order that terminated Licensee's Suspension Order on March 4, 2010. Licensee's Oregon acupuncture license is now returned to active status.

**\*McCluskey, Edward, Alan, MD; MD18356; Gresham, OR**

Licensee entered into an Interim Stipulated Order with the Board on March 4, 2010. Effective March 5, 2010, Licensee will not perform any surgical or interventional procedure on any patient, but will begin transferring the care of his patients to other healthcare providers, which is to be completed within 14 days from the date this Order. Effective 14 days from the date this Order, Licensee will accept a voluntary limitation on his license to practice only administrative medicine and will provide no patient care.

**\*Melnick, Jeffrey, Bruce, PA; PA00251; Tigard, OR**

Licensee entered into an Interim Stipulated Order with the Board on February 22, 2010. In this Order, Licensee agreed to not conduct any examination or medical procedure on a female patient 18 years-of-age without a trained chaperone being present throughout the course of the examination or procedure. The presence of the chaperone will be immediately documented in the patient chart. The chaperone shall be medically trained and not a friend or relative of the patient or physician assistant. Licensee will avoid any social contact with female patients or the immediate family member of any patient outside of the clinical setting.

**\*Smucker, Lonnie, Lee, MD; MD17893; Portland, OR**

Licensee entered into a Stipulated Order with the Board on March 4, 2010, subject to the following terms and conditions of probation: reprimand; Licensee must not view, download or possess pornography in any setting or in any form; Licensee must inform any present/future employer in the health care field of this Order; 10 year probation; quarterly Board reporting; [REDACTED] pre-approved practice settings; polygraph compliance monitoring; Licensee's office and home computer are subject to compliance inspection upon demand.

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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.

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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of )  
WILLIAM MYRON FERRIN, III, MD ) STIPULATED ORDER  
LICENSE NO. MD17742 )

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. William Myron Ferrin, III, MD (Licensee) is a licensed physician in the state of Oregon.

2.

The Board is now 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 677.188(4)(a); ORS 677.190(7) impairment; and ORS 677.190(13) gross or repeated acts of negligence.

3.

Licensee is a gastroenterologist. On January 8, 2009, Licensee entered into an Interim Stipulated Order in which he voluntarily withdrew from the practice of medicine based upon credible information that Licensee had practiced medicine while under the influence of alcohol. The acts and conduct alleged to violate the Medical Practice Act follow:

3.1 Licensee has a long history of alcohol abuse and dependence, to include a 1995 arrest for driving under the influence of an intoxicant (DUII) that was resolved through the completion of a diversion program. Licensee successfully completed a five year enrollment in the Board's Health Professionals Program (HPP) from January 2000 – January 2005, in which he was required to abstain from alcohol and to undergo compliance monitoring.



1 5.

2 Licensee and the Board agree to resolve this matter by the entry of this Stipulated  
3 Order. The Board hereby terminates Licensee's January 9, 2009 Interim Stipulated Order and  
4 returns Licensee to practice subject to the following sanctions, terms and conditions:

5 5.1 Licensee is reprimanded.

6 5.2 Licensee is placed on probation for a minimum term of ten years and shall  
7 report in person to the Board at each of its quarterly meetings at the scheduled times for a  
8 probation interview, unless otherwise directed by the Board's Compliance Officer or its  
9 Investigative Committee.

10 5.3 Licensee is suspended from the practice of medicine for a period of one year.  
11 Licensee's suspension is deemed to now be satisfied, with credit given him for withdrawing  
12 from practice pursuant to the January 9, 2009 Interim Stipulated Order.

13 5.4 Licensee must completely abstain from the use of alcohol as well as all  
14 intoxicants, controlled substances and psychoactive substances, unless prescribed by his  
15 treating physician who is pre-approved by the Board's Medical Director, and who is fully  
16 informed of Licensee's history of substance abuse and dependence. This does not preclude  
17 Licensee from seeking care in an emergency situation. Licensee will bring any emergency  
18 care and/or prescribing related to that care to the attention of his regular treating physician as  
19 soon as practical.

20 5.5 Licensee must enroll in the Board's Health Professional's Program (HPP) (or  
21 its successor). Licensee must remain enrolled in HPP (or its successor) for as long as he holds  
22 an Oregon medical license, and he must remain fully compliant with all terms and  
23 requirements associated with his enrollment. Licensee hereby consents to the disclosure of his  
24 complete HPP (or its successor) file to the Board upon request. All drug and alcohol test  
25 results conducted in the HPP program (or its successor) and information pertaining to possible  
26 relapse will be simultaneously reported to HPP (or its successor) and the Board.



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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of )  
ALBERT ERNEST LARNER, MD ) INTERIM STIPULATED ORDER  
LICENSE NO. MD06331 )  
)

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. Albert Ernest Lerner (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).

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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.

IT IS SO STIPULATED THIS 3 day of 03, 2010.

Signature Redacted on Copies

ALBERT ERNEST LARNER, MD

IT IS SO ORDERED THIS 3 day of 03, 2010.

State of Oregon  
OREGON MEDICAL BOARD

Signature Redacted on Copies

KATHLEEN HALEY, JD  
EXECUTIVE DIRECTOR

PHILIP PARSHLEY, MD  
MEDICAL DIRECTOR

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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of )  
KARMA JAMPA LHUNDUP, LAc ) ORDER TERMINATING ORDER  
LICENSE NO. AC00845 ) OF LICENSE SUSPENSION  
)

1.

On February 16, 2010, the Oregon Medical Board (Board) issued an Order of License Suspension regarding Karma Jampa Lundup, LAc (Licensee). This Order was issued pursuant to ORS 25.750, and Licensee's failure to pay child support. On March 4, 2010, the Board received notification from the Multnomah County District Attorney's office informing the Board that Licensee is now in compliance with his child support payments and that his license should be reinstated.

2.

The Board does hereby order that the February 16, 2010 Order of License Suspension be terminated effective the date this Order is signed by the Board Chair and that Licensee's license be returned to active status.

IT IS SO ORDERED this 4<sup>th</sup> day of March, 2010.

OREGON MEDICAL BOARD

Signature

Signature Redacted on Copies

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LISA A. CORNELIUS, DPM

Board Chair

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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of )  
EDWARD ALAN McCLUSKEY, MD ) INTERIM STIPULATED ORDER  
LICENSE NO. MD18356 )

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. Edward Alan McCluskey, 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 Effective on March 5, 2010, Licensee will not perform any surgical or interventional procedure on any patient, but will begin transferring the care of his patients to other healthcare providers, which is to be completed within 14 days from the date this Order is signed by the Board's designee.

3.2 Effective 14 days from the date this Order is signed by the Board's designee, Licensee will accept a voluntary limitation on his license to practice only administrative

1 medicine and will provide no patient care.

2 3.3 Licensee understands that violating any term of this Order will be grounds for  
3 disciplinary action under ORS 677.190(17).

4 4.

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

9 5.

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

16  
17 IT IS SO STIPULATED THIS 4<sup>th</sup> day of March, 2010.

18  
19 Signature Redacted on Copies

20 EDWARD ALAN McCLUSKEY, MD

21 IT IS SO ORDERED THIS 4<sup>th</sup> day of March, 2010.

22  
23 State of Oregon  
OREGON MEDICAL BOARD

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25 Signature Redacted on Copies

26 KATHLEEN HALEY, JD O  
EXECUTIVE DIRECTOR

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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of )  
JEFFREY BRUCE MELNICK, PA ) INTERIM STIPULATED ORDER  
LICENSE NO. PA00251 )  
)

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physician assistants, in the state of Oregon. Jeffrey Bruce Melnick, PA (Licensee) is a licensed physician assistant in the state of Oregon and holds an active license.

2.

Licensee works as a physician assistant in an immediate care clinic in Tigard, Oregon. The Board has opened an investigation of Licensee.

3.

In order to address the concerns of the Board while it conducts the investigation, Licensee and the Board agree to the entry of this Interim Stipulated Order, which provides that Licensee shall comply with the following conditions:

3.1 Licensee will not conduct any examination or medical procedure on a female patient 18 years of age or older without a medically trained chaperone being present throughout the course of the examination or procedure. The presence of the chaperone will be immediately documented in the patient chart. The chaperone shall be medically trained and not a friend or relative of the patient or physician assistant.

3.2 Licensee will avoid any social contact with female patients or the immediate family member of any patient outside of the clinical setting.

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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of )  
 )  
LONNIE LEE SMUCKER, MD ) STIPULATED ORDER  
LICENSE NO. MD17893 )

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. Lonnie Lee Smucker, MD (Licensee) is a physician licensed to practice medicine in the state of Oregon.

2.

On January 20, 2009, 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 677.188(4)(a).

3.

Licensee is a board certified family practice physician. He was formerly employed at Cascade Family Medicine, Providence Medical Group. The acts and conduct alleged to violate the Medical Practice Act follow:

3.1 On June 9, 2009, the Providence Medical Group – North, notified the Board that Licensee was allowed to resign his position, effective June 1, 2009. Licensee had been suspended on May 27, 2009 for accessing inappropriate Internet sites, in violation of Providence Internet Usage Policy. The Board opened an investigation and determined that from January through March of 2009, after learning that the hospital's Internet filter was not working, Licensee repeatedly used hospital computers at Providence Medical Group to view sexually explicit material depicting adult females for his own prurient interests. Licensee typically

1 accessed pornography in the early morning at the workplace prior to when he was expected to be  
2 at work.

3 3.2 Licensee has informed the Board that he was initially confronted about viewing  
4 pornography in the workplace at Providence Medical Group in 2000. Licensee was directed to  
5 immediately desist and was denied use of the Internet on hospital computers. Licensee resumed  
6 accessing pornography at Providence Medical Group in 2004 when he surreptitiously obtained a  
7 computer password from a work partner. Licensee used that password to access the Internet  
8 through hospital computers for purposes of viewing pornography. Licensee's Internet use was  
9 detected. He was once again confronted and directed to comply with Providence's policy  
10 concerning use of the Internet. Licensee was also informed that any further occurrence may  
11 result in the termination of his employment.

12 4.

13 Licensee and the Board desire to settle this matter by entry of this Stipulated Order.  
14 Licensee understands that he has the right to a contested case hearing under the Administrative  
15 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the  
16 right to a contested case hearing and any appeal therefrom by the signing of and entry of this  
17 Order in the Board's records. Licensee stipulates and the Board finds that Licensee engaged in  
18 the conduct described in paragraph 3 and that this conduct violated ORS 677.190(1)(a)  
19 unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a).

20 5.

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

23 5.1 Licensee is reprimanded.

24 5.2 Licensee must not view, download or possess pornography in any setting or in  
25 any form, to include print, film, or electronic media.

26 5.3 Licensee must inform any present and any future employer in the health care field  
27 of this Order and provide them a copy within 10 days from the date of this Order, concurrent  
28 with any future date-of-hire.

1           5.4     Licensee is placed on probation for ten years.

2           5.5     Licensee must report in person to the Board at each of its regularly scheduled  
3 quarterly meetings at the scheduled times for a probationer interview unless ordered to do  
4 otherwise by the Board.

5           5.6     Licensee will establish a relationship with a mental health professional who must  
6 be pre-approved by the Board's Medical Director, and who will meet with Licensee on an  
7 ongoing basis. The approved mental health professional shall provide at least quarterly reports  
8 on Licensee's mental health status and his compliance with the terms of this Order, as well as  
9 maintaining an ongoing assessment of Licensee's risk of recidivism.

10          5.7     Licensee must only work in health care settings that are pre-approved by the  
11 Board's Medical Director.

12          5.8     Licensee is subject to polygraph compliance monitoring at Licensee's expense, as  
13 directed by the Board's Compliance Officer.

14          5.9     Licensee's office and home computer are subject to compliance inspection upon  
15 demand to determine if Licensee has accessed any pornographic websites. Proof of ongoing  
16 employer directed compliance monitoring of office computers that Licensee has access to at the  
17 workplace will satisfy this requirement.

18          5.10    Licensee shall obey all federal and Oregon State laws and regulations pertaining  
19 to the practice of medicine.

20          5.11    Licensee stipulates and agrees that any violation of the terms of this Order shall  
21 be grounds for further disciplinary action under ORS 677.190(17).

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6.

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

IT IS SO STIPULATED this 24 day of Feb., 2010.

Signature Redacted on Copies

LONNIE LEE SMUCKER, MD

IT IS SO ORDERED this 4<sup>th</sup> day of March, 2010.

OREGON MEDICAL BOARD

Signature Redacted on Copies

LISA A. CORNELIUS, DPM  
Board Chair