

Oregon Medical Board
BOARD ACTION REPORT
September 16, 2008 – October 15, 2008

The information contained in this report summarizes new interim and final actions taken by the Oregon Medical Board between **September 16, 2008 - October 15, 2008**.

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 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.

***HUEBNER, MARY FREERICKS, PA; PA00752; MEDFORD, OR**

Licensee entered into an Interim Stipulated Order with the Board on October 9, 2008. In this Order Licensee agreed to withdraw from practice pending the conclusion of the Board's investigation into her competency to practice medicine.

***SURMAN, DUSAN JOSIP, MD; MD06713; PORTLAND, OR**

Licensee entered into a Stipulated Order with the Board on September 25, 2008. In this Order Licensee agreed to retire his Oregon medical license while under investigation and agreed to never reapply for a license in Oregon.

***WINTER, BROOKE CANDACE, AC; AC00120; PORTLAND, OR**

The Board issued an Order of Suspension of License on September 25, 2008. This Order suspended Licensee's Oregon acupuncture license per Oregon Revised Statute 677.225(1)(b) which provides that licensee shall be automatically suspended in the licensee is an inmate in a penal institution. Licensee is currently an inmate in a penal institution.

***YEAGER, DEAN ALAN, MD; MD17697; STAYTON, OR**

Licensee entered into a Stipulated Order with the Board on September 25, 2008. In this Order Licensee agreed to permanently surrender his Oregon medical license and agreed to never reapply for a license in the state of Oregon.

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)
MARY FREERICKS HUEBNER, PA) INTERIM
LICENSE No. PA00752) STIPULATED ORDER
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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 physician assistants, in the state of Oregon. Mary "Lorry" Freericks Huebner, PA, (Licensee) is a licensed physician assistant in the state of Oregon.

2.

The Board has opened an investigation after receiving information that raises concerns in regard to Licensee's ability to safely and competently practice medicine.

3.

Due to the above described report and the need to protect the public, Licensee and the Board agree to the entry of this Interim Stipulated Order, which provides that Licensee shall comply with all of the following conditions:

- 3.1 Licensee voluntarily and immediately withdraws from the practice of medicine pending completion of the Board's investigation of this matter.
- 3.2 Failure to comply with this Order will violate ORS 677.190(18) and may result in disciplinary action by the Board and an Order for Emergency Suspension.
- 3.3 Licensee agrees to sign all necessary releases so that the Board will have full and unrestricted access to copies of her records involving her medical care, treatments, and follow-up.

1 4.

2 At the conclusion of the Board's investigation, Licensee's status will be reviewed in an
3 expeditious manner. If the Board determines, following that review, that Licensee should 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 677.420(1) for the purpose of making a
8 complete investigation in order to fully inform itself with respect to the performance or conduct of
9 the Licensee and Licensee's ability to safety and competently practice medicine. Pursuant to ORS
10 677.425, Board investigative materials are confidential and shall not be subject to public
11 disclosure, nor shall they be admissible as evidence in any judicial proceeding. However, as a
12 stipulation, this order is a public document and is reported to the National Practitioner Data Bank.

13 6.

14 This Order becomes effective the date it is signed by the Licensee.

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16 IT IS SO STIPULATED THIS 9 day of October, 2008.

17 SIGNATURE WITHHELD

18 MARY FREERICKS HUEBNER, PA

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20 IT IS SO ORDERED THIS 12th day of October, 2008.

21 OREGON MEDICAL BOARD
22 State of Oregon

23 SIGNATURE WITHHELD

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25 EXECUTIVE DIRECTOR
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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
DUSAN JOSIP SURMAN, MD) STIPULATED ORDER
LICENSE NO, MD06713)
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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. Dusan Josip Surman, MD (Licensee) is a licensed physician in the state of Oregon.

2.

In September of 2007, the Board began a review of Licensee's care of several patients. Licensee and the Board desire to settle this matter by the entry of this Stipulated Order. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of this Order in the Board's records. Licensee desires that his license be retired while under investigation relating to concerns raised by the Board's review of his care of multiple patients. Licensee also understands that this Order is a public record and is a disciplinary action that is reportable to the applicable National Data Banks.

3.

Licensee and the Board agree that the Board will close this investigation and resolve this matter by entry of this Stipulated Order, subject to the following conditions:

3.1 Licensee will retire his Oregon medical license under investigation and cease from practicing any form of medicine, effective the date the Board Chair signs this Order.

Licensee will not practice any form of medicine, whether paid or volunteer, including writing

1 prescriptions for himself, former or new patients, and/or relatives, as well as conducting
2 examinations or chart reviews for administrative agencies.

3 3.2 Licensee will not reapply for licensure in the state of Oregon to practice medicine.

4 3.3 Licensee stipulates and agrees that any violation of the terms of this Order shall
5 be grounds for further disciplinary action under ORS 677.190(18).

6 4.

7 This Order becomes effective the date it is signed by the Board Chair.

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9 IT IS SO STIPULATED this 25th day of September 2008.

10 SIGNATURE WITHHELD

11 DUSAN JOSIP SURMAN, MD

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13 IT IS SO ORDERED this 25th day of Sept. 2008.

14 OREGON MEDICAL BOARD

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16 SIGNATURE WITHHELD

17 PATRICIA L. SMITH
18 BOARD CHAIR

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
BROOKE CANDACE WINTER) ORDER OF SUSPENSION OF LICENSE
LICENSE NO. AC00120)

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including acupuncturists, in the state of Oregon. Brooke Candace Winter, LAc (Licensee) is a licensed acupuncturist in the state of Oregon.

2.

Licensee was convicted pursuant to her plea of guilty in Multnomah County Circuit Court on May 12, 2008, for violation of ORS 163.275 (Coercion with the Use of a Firearm— Constituting Domestic Violence) and ORS 166.220 (Unlawful Use of a Weapon-Firearm Constituting Domestic Violence), both Class C Felonies, for conduct that occurred on or about June 4, 2007. An Amended Judgment was entered in this court on June 20, 2008, which sentenced the Licensee to incarceration in an Oregon Department of Corrections (DOC) confinement facility for a period of 366 days and supervised probation for a period of 60 months. Licensee is currently serving her sentence of confinement at the Coffee Creek Correctional Institute with a projected release date of December 12, 2008.

3.

ORS 677.225 (1)(b) provides that a licensee's medical license is suspended automatically if the licensee is an inmate in a penal institution.

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2 4.

3 The license of Licensee to practice acupuncture is suspended, pursuant to ORS 677.225.
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5 IT IS SO ORDERED this 25th day of Sept, 2008.

6 OREGON MEDICAL BOARD
7 State of Oregon

8 (SIGNATURE WITHHELD

9 PATRICIA L. SMITH
10 Board Chair
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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

DEAN ALAN YEAGER, MD
LICENSE NO. MD17697

STIPULATED ORDER

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. Dean Alan Yeager, 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 677.188(4)(a); ORS 677.190(14) gross or repeated acts of negligence; and ORS 677.190(18) willful violation of a Board order or any rule adopted by the Board.

3.

Licensee owns the Yeager Family Practice medical clinic in Stayton, Oregon, and also owns the "Healthy Image Spa" medical clinic in Salem, Oregon. During 2005 – 2006, Licensee had four physician assistants (PA's) in his employ and listed with the Board as being under his supervision. Licensee entered into an Interim Stipulated Order with the Board that was approved on October 11, 2007, in which Licensee agreed to cease supervising any physician assistant at any practice location. The acts and conduct alleged to violate the Medical Practice Act are set forth in the Amended Complaint and Notice of Proposed Disciplinary Action, dated June 10, 2008, and is incorporated into this stipulation by reference. The Board and Licensee also acknowledge that the Board's ongoing investigation has identified additional allegations of

1 possible violations of the Medical Practice Act by Licensee that are resolved by this Stipulated
2 Order.

3 4.

4 Licensee and the Board desire to settle this matter by entry of this Stipulated Order.
5 Licensee acknowledges that he has the right to a Contested Case hearing under the
6 Administrative Procedures Act (Chapter 183), Oregon Revised Statutes, and fully and finally
7 waives this right to a Contested Case hearing and any appeal therefrom by the signing of and
8 entry of this Order into the Board's records. Licensee is facing other investigations by federal
9 and state agencies and therefore, on the advice of counsel, neither admits nor denies that
10 the Board's allegations are true; but Licensee understands that the effect of waiving his right to a
11 Contested Case hearing and any appeal therefrom is that the Board will accept that the events
12 and conduct described in paragraph 3 and the Amended Complaint and Notice of Proposed
13 Disciplinary Action, dated June 10, 2008, are true and constitute violations of ORS
14 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS
15 677.190(14) gross or repeated acts of negligence; and ORS 677.190(18) willful violation of a
16 Board order or any rule adopted by the Board.

17 5.

18 Licensee and the Board agree to close this investigation by entry of this Stipulated Order,
19 in which Licensee permanently surrenders his license to practice medicine in Oregon while
20 under investigation. Licensee will abide by the following conditions:

21 5.1 Licensee will not practice any form of medicine in Oregon, whether paid or
22 volunteer, to include writing prescriptions to any patients or relatives, seeing patients in
23 any setting or conducting chart reviews for administrative agencies.

24 5.2 Licensee's surrender of license to practice medicine in Oregon while under
25 investigation is permanent, and becomes effective on October 31, 2008. Licensee agrees
26 never to practice medicine, whether paid or volunteer, to include writing prescriptions to
27 any person or seeing patients in any setting.

Oregon.

5.5 Licensee will ensure that his patient records are available to patients or the patients' authorized representative upon their request to inspect and obtain a copy of their protected health information, and otherwise comply with the requirements of OAR 847-012-0000.

6.

IT IS SO STIPULATED this 25th day of 2008.

SIGNATURE WITHHELD

IT IS SO ORDERED this 25th day of 2008

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE WITHHELD

BOARD CHAIR