

Oregon Medical Board
BOARD ACTION REPORT
October 15, 2011

The information contained in this report summarizes new, interim, and final actions taken by the Oregon Medical Board between September 16, 2011 and October 15, 2011.

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.

Printed copies of the Board Orders not provided with this report are available to the public. To obtain a printed copy of a Board Order not provided in this report, please complete a Service Request Form (<http://egov.oregon.gov/BME/PDFforms/VerDispMalFillin.pdf>) found under the Licensee Information Request Form link 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.

Amparo, Evelina Gotardo, MD; MD11723; Klamath Falls, OR

On October 6, 2011, the Board issued an Order Terminating Corrective Action Order. This Order terminates Licensee's November 10, 2008, Corrective Action Order.

***Baldwin, Stanley Sherman, MD; MD08793; Springfield, OR**

On October 6, 2011, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's December 3, 2009, Stipulated Order.

***Campbell, Robert Perry, MD; MD10884; Portland, OR**

On October 6, 2011, the Oregon Medical Board issued an Order Terminating Board Orders. This Order terminates Licensee's April 12, 2006 Stipulated Order, his October 7, 2010 Stipulated Order, and his February 17, 2011 Interim Stipulated Order.

***Czarnecki, Mark Dennis, DO; DO15400; The Dalles, OR**

On September 20, 2011, Licensee entered into an Interim Stipulated Order to voluntarily withdraw from practice and place his license in Inactive status pending the completion of the Board's investigation into his ability to safely and competently practice medicine.

***Fritts, Julia Anne, AC; Applicant; Corvallis, OR**

On October 6, 2011 Applicant entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct, and willfully violating any provision of the Medical Practice Act or any Board order or regulation. This Order reprimands Applicant, assesses a \$1,000 fine, and allows for the issuance of a license to Applicant upon submission of complete application materials and fees.

***Guilleux, Paul Michael, DO; DO11449; Portland, OR**

On October 6, 2011, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's January 13, 2011, Corrective Action Agreement.

***Hardy, John Henry, Jr., MD; MD18862; Sunriver, OR**

On October 6, 2011, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's September 2, 2010, Stipulated Order.

***Hedmann, Shaun Anthony, MD; MD14981; Clackamas, OR**

On October 6, 2011, Licensee entered into a Voluntary Limitation in which he withdraws from the practice of cardiology with the exception of reading echocardiograms.

***Hicks, Richard Eldon, MD; MD09954; Eugene, OR**

On October 6, 2011, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's December 3, 2009, Stipulated Order.

***Lee, Carma Jane, MD; MD21672; Damascus, OR**

On October 6, 2011, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct, and gross or repeated negligence in the practice of medicine. This Order reprimands Licensee, places Licensee on probation for 5 years, requires that licensee interpret ECGs under the supervision of another physician, limits Licensee's prescription writing privileges, mandates completion of CPEP recommendations within two years, subjects Licensee's practice to no notice audits, and requires that Licensee provide a copy of the Order to employers.

***McVey, Douglas Kent, PA; PA00622; Hermiston, OR**

On October 6, 2011, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's May 7, 2009, Stipulated Order.

***O'Gara, Michael Thomas, DO; DO08605; Gold Beach, OR**

On September 27, 2011, Licensee entered into an Interim Stipulated Order to voluntarily withdraw from the practice of obstetrics pending the completion of the Board's investigation into his ability to safely and competently practice in this specialty.

***Powell, Diane Hennacy, MD; MD25438; Medford, OR**

On October 6, 2011, the Board issued an Order Modifying Stipulated Order. This Order modifies Licensee's January 13, 2011 Stipulated Order, terminating terms 4.2 and 4.3 of the Order.

Purtzer, Thomas John, MD; MD12880; Medford, OR

On October 6, 2011, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's October 8, 2009, Corrective Action Agreement.

Queeley, Philip William, LAc; AC00862; Portland, OR

On October 6, 2011, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete training on professional conduct and ethics, and complete a documentation course on medical records and charting.

***Stanley, Brice Tyler, PA; PA01027; La Pine, OR**

On October 6, 2011, the Board issued a Default Final Order for unprofessional or dishonorable conduct, gross or repeated acts of negligence, and willfully violating a Board order or rule. This Order revokes Licensee's Oregon physician assistant license and terminates the Stipulated Order of August 14, 2008.

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)
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STANLEY SHERMAN BALDWIN, MD) ORDER TERMINATING
LICENSE NO. MD08793) STIPULATED ORDER
)
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1.

On December 3, 2009, Stanley Sherman Baldwin, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed conditions on Licensee's Oregon medical license. On June 16, 2011, Licensee submitted a written request to terminate this Order.

2.

Having fully considered Licensee's request and his successful compliance with the terms of this Order, the Board terminates the December 3, 2009, Stipulated Order, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 6th day of October, 2011.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

~~RALPH A. YATES, DO~~
Board Chair

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of
MARK DENNIS CZARNECKI, DO
LICENSE NO. DO15400
} INTERIM STIPULATED ORDER
}

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. Mark Dennis Czarniecki, DO (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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3.3 Licensee must notify the Oregon Medical Board within 10 days of the suspension of how patients may access or obtain their medical records.

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 and is reportable to the National Practitioners Data Bank and the Health Insurance Portability and Accountability Data Bank (HIPDB) and the Federation of State Boards.

6.

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

IT IS SO STIPULATED THIS 20 day of Sept, 2011.

SIGNATURE REDACTED

IT IS SO ORDERED THIS 22nd day of Sept, 2011.

State of Oregon
OREGON MEDICAL BOARD

SIGNATURE REDACTED

EXECUTIVE DIRECTOR

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
JULIA ANNE FRITTS, LAc) STIPULATED ORDER
APPLICANT)

1.
2.

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. Julie Anne Fritts, LAc (Applicant) has applied for a license to practice acupuncture in the state of Oregon.

2.

Applicant is licensed to practice acupuncture in the state of Maryland, where she practiced for a number of years. The Board opened an investigation in February 2011 after receiving a report that Applicant was practicing acupuncture in Oregon without a license. The Board's investigation revealed that Applicant engaged in conduct that violated the Medical Practice Act, as follows:

2.1

Applicant submitted an application dated April 13, 2010, to practice acupuncture in the state of Oregon. The Board subsequently notified Applicant that she needed to provide certain information to complete her application submittal; to include having the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) send an examination certification report directly to the Board to verify her training, to resubmit fingerprints for purposes of the Board conducting a criminal background check, and that Applicant must complete an open book examination on the Medical Practice Act.

2.2

The Board opened an investigation in February 2011, after receiving a credible report that Applicant was engaging in the unlicensed practice of acupuncture. The investigation revealed that on diverse occasions in late 2010 and early 2011, Applicant

1 provided acupuncture treatments to patients in Oregon without an active license to practice
2 acupuncture in this state. Applicant also signed a billing invoice for \$70.00 that listed her
3 name and title as follows:

4 Julia A. Fritts, P.T., L.A.c., Dipl.Ac. (NCCAOM), M. Div.
5 BC/BS Provider #J334JA Acupuncture License #U00929.

6 3.

7 Applicant and the Board desire to settle this matter by entry of this Stipulated Order.
8 Applicant understands that she has the right to a contested case hearing under the
9 Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Applicant fully and
10 finally waives the right to a contested case hearing and any appeal therefrom by the signing of
11 and entry of this Order in the Board's records in which she agrees to submit a complete
12 application for a license to practice acupuncture in the state of Oregon. Applicant admits and
13 the Board finds that Applicant engaged in the conduct described in paragraph 2 and that this
14 conduct violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in
15 ORS 677.188(4)(a); ORS 677.759 and ORS 677.190(17) willfully violating any provision of
16 the Medical Practice Act or any Board order or regulation.

17 4.

18 Applicant and the Board agree to resolve this matter by the entry of this Stipulated
19 Order subject to the following terms:

20 4.1 Applicant is reprimanded.

21 4.2 Applicant must pay a fine of \$1,000, which is payable in full ten days after the
22 Board grants Applicant an active license to practice acupuncture in the state of Oregon.

23 4.3 The Board will grant Applicant a license to practice acupuncture after
24 Applicant submits a complete application that is acceptable to the Board and pays in full her
25 application fee.

26 4.4 Applicant stipulates and agrees that any violation of the terms of this Order
27 shall be grounds for further disciplinary action under ORS 677.190(17).

Applicant 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 National Certification Commission for Acupuncture and Oriental Medicine. This Order becomes effective the date it is signed by the Board Chair.

IT IS SO STIPULATED this 15th day of September, 2011.

SIGNATURE REDACTED

IT IS SO ORDERED this 6th day of October, 2011.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

RALPH A. VATES, DO
Board Chair

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3.

Licensee understands that this is a public record. This order is not a disciplinary action, but is a limitation on Licensee's medical practice and is therefore reportable to the Federation of State Medical Boards, the Health Care Integrity and Protection Data Bank and the National Practitioner Data Bank.

IT IS SO STIPULATED this 16 day of AUGUST, 2011.

SIGNATURES REDACTED

~~SHAUN ANTHONY HEDMANN, MD~~

IT IS SO ORDERED this 16th day of October, 2011.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURES REDACTED

~~KALPHA VYATES, DO~~
BOARD CHAIR

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
RICHARD ELDON HICKS, MD) ORDER TERMINATING
LICENSE NO. MD09954) STIPULATED ORDER

1.

On December 3, 2009, Richard Eldon Hicks, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed conditions on Licensee's Oregon medical license. On June 13, 2011, Licensee submitted a written request to terminate this Order.

2.

Having fully considered Licensee's request and her successful compliance with the terms of this Order, the Board terminates the December 3, 2009, Stipulated Order, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 6th day of October, 2011.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

~~RALPH A. YATES, DO~~
Board Chair

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
CARMA JANE LEE, MD) STIPULATED ORDER
LICENSE NO. MD21672)
)

1.
2.

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. Carma Jane Lee, MD (Licensee) is a licensed physician in the state of Oregon.

3.

In a Complaint and Notice of Proposed Disciplinary Action, dated June 16, 2011, 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 by ORS 677.188(4)(a) and ORS 677.190(13) gross or repeated negligence in the practice of medicine.

4.

The Board's investigation revealed the following acts and conduct by Licensee that violated the Medical Practice Act:

3.1 Patient A was a 16-year-old female when she first received care from Licensee. Patient A's history includes suicide ideations, anxiety and the abuse of cannabis, alcohol, amphetamines and cocaine. Licensee saw Patient A on May 21, 2002 after her discharge from a psychiatric hospital. Patient A disclosed to Licensee that she had been taking Xanax and Ritalin that she had obtained from family members and friends. Nonetheless, Licensee prescribed Alprazolam (Xanax, Schedule IV) for her panic attacks, Methylphenidate (Ritalin, Schedule II) for a presumed diagnosis of Attention Deficit and Hyperactivity Disorder (ADHD), and

1 Venlaxine (Effexor), even though Licensee did not review Patient A's records pertaining to her
2 psychiatric admission. In June 2002, Licensee began to prescribe Trazodone for complaints of
3 insomnia. Over the next several months, Licensee increased the dosage for Trazodone from 50
4 mg to 200 mg per day. By February 2004, Licensee also prescribed Cyclobenziprine (Flexeril)
5 and Sertraline (Zoloft). In June 2004, Licensee diagnosed Patient A with fibromyalgia and
6 began prescribing acetaminophen and tramadol (Ultram) as well as Tizanidine (Zanaflex).
7 Licensee progressively increased the dosage of Tramadol until Patient A was taking 50 mg
8 tablets 8 times a day. Licensee also began to prescribe Clonidine for anxiety as well as
9 Acetaminophen/Hydrocodone (Norco, Schedule III). Licensee subsequently added Oxycodone
10 (Schedule II) every 4 hours for "fibromyalgia flares." Patient A reported a fall in 2007, with
11 noted distress and muscular tenderness in the neck. Licensee subsequently diagnosed lumbar
12 strain (which was not supported by her findings in the chart). Patient A suffered a seizure with
13 loss of consciousness on March 30, 2008. Licensee was informed of the seizure, but did not
14 appreciate that the high dosages of Tramadol were the likely cause of the seizure. (High dosages
15 of Tramadol can cause seizures, particularly when there is concomitant use of other medications
16 that can increase the risk of serotonin syndrome.) A consultation with a neurologist noted that
17 the use of Tramadol in conjunction with other medications such as Norco, Soma (Schedule III),
18 Xanax, Prozac and nortriptyline could lower Patient A's seizure threshold, and that Patient A
19 should cease the use of Tramadol. Licensee discussed Patient A's care with the neurologist.
20 Nevertheless, at the next office visit on June 2, 2008, Licensee restarted Patient A on Tramadol.
21 Patient A entered into a medical management agreement with Licensee on June 13, 2008. A
22 urine drug screen detected a high level of cannabis on December 11, 2008. Licensee noted "I am
23 fine with her using pot to help her sleep." In making this statement, Licensee appeared to ignore
24 Patient A's history of polysubstance abuse. In March 2009, Licensee added oxycodone &
25 acetaminophen (Percocet, Schedule II) and Methocarbamol (Robaxin) to Patient A's medication
26 regimen. In June 2009, Licensee began Patient A on Metaxalone (Skelaxin), and in July, added
27 Gabapentin (Neurontin) and Buspirone (Buspar). Patient A was subsequently noted to be

1 drowsy with slurred speech and was involved in a motor vehicle accident after leaving
2 Licensee's clinic. On September 9, 2009, Patient A was diagnosed as drug dependent by another
3 provider in Licensee's clinic. Patient A suffered another seizure on February 18, 2010. It is
4 most medically probable that the seizure was attributable to her medications, to include
5 Tramadol, 400mg/day. Licensee over-medicated Patient A with a combination of medications
6 that were not medically indicated and exposed Patient A unnecessarily to the risk of seizure,
7 over-sedation, and dependence.

8 3.2 On May 6, 2006, Patient B, an adult female aged 61, sought medical attention at
9 Adventist Hospital in Portland, with complaints of right sided rib pain and breathing problems.
10 On May 9, 2006, Patient B presented to Licensee for follow-up. Licensee prescribed Methadose
11 (Methadone, Schedule II) 2.5 to 5mg three times a day to address her complaints of pain. Other
12 medications included Cymbalta, Percocet 5/325, cyclobenzaprine, Vicodin 5/500, Darvocet-N
13 100, and Amitriptyline. Licensee prescribed Methadose without a supporting diagnosis as to the
14 cause of pain. Licensee states that she instructed Patient B to take 2.5 or 5 mgs at bedtime and to
15 increase this by 2.5 mgs a day up to 10 or 15 mgs three times a day. Patient B and her spouse
16 thought they were instructed to take ½ tablets three times per day on the first day and to
17 incrementally increase the dosage until her pain was controlled. On May 13, 2006, Patient B
18 was reported by her spouse to be taking three tablets of Methadose three times per day. She was
19 very sleepy and incoherent. The next morning, (May 14, 2006) Patient B's spouse attempted to
20 awaken her, only to discover that she had died. The cause of death was methadone and
21 amitriptyline intoxication. Licensee inappropriately prescribed methadone to Patient B to
22 address her complaints of pain, and failed to effectively communicate how to titrate the dosage
23 and to understand the risks and symptoms of over-medication.

24 3.3 The Board also reviewed the charts for Patients C-G, and that review, together
25 with a review of the charts for Patients A-B, supports the Board's conclusion that Licensee lacks
26 a standardized method to obtain informed consent or to enter a medication agreement for patients
27 with chronic pain; that Licensee fails to recognize and address "red flags", to include requests for

1 early refills and increased dosages, or complaints of medication losses; and Licensee fails to
2 obtain appropriate consultations when her patients do not progress.

3 4.

4 Licensee and the Board desire to settle this matter by entry of this Stipulated Order.
5 Licensee understands that she has the right to a contested case hearing under the Administrative
6 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the
7 right to a contested case hearing and any appeal therefrom by the signing of and entry of this
8 Order in the Board's records. Licensee admits that she engaged in the conduct referenced in
9 paragraph 3 and that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable
10 conduct, as defined by ORS 677.188(4)(a) and ORS 677.190(13) gross or repeated negligence in
11 the practice of medicine.

12 5.

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

15 5.1 Licensee is reprimanded.

16 5.2 Licensee is placed on probation for five years and shall report in person to the
17 Board at each of its quarterly meetings at the scheduled times for a probation interview, unless
18 otherwise directed by the Board's Compliance Officer or its Investigative Committee.

19 5.3 Licensee may only interpret electrocardiograms (ECGs) under the supervision of
20 a cardiologist(s) at Portland Adventist Hospital who is pre-approved by the Board's Medical
21 Director. This cardiologist(s) must co-sign any ECG interpretation provided by Licensee.
22 Licensee must meet with this cardiologist(s) at Portland Adventist Hospital on a frequent and
23 ongoing basis to read ECG's under supervision until she is deemed to have reached a level of
24 acceptable competency, at which time the supervising cardiologist(s) may submit a letter to the
25 Board's Medical Director requesting that the requirement that she read ECG's under supervision
26 be lifted.

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1 5.4 Licensee may only write new prescriptions for Tramadol (Ultram), psychotropic
2 or Schedule II or III medications by having a physician, pre-approved by the Board's Medical
3 Director, review and approve each prescription. Licensee must also obtain a preceptor physician
4 that has been pre-approved by the Board's Medical Director. This preceptor physician will
5 review and approve these prescriptions, as well as any refills, for these medications, within 24
6 hours.

7 5.5 Licensee must complete the educational recommendations set forth in the
8 Assessment Report from the Center for Personalized Education for Physicians (CPEP) within 24
9 months from the date this Order is signed by the Board Chair. Licensee must present an
10 education plan for review and approval by the Board's Medical Director. Licensee's Education
11 Plan will not go into effect until it is reviewed and approved by the Board's Medical Director.

12 5.6 After at least six months of consistent compliance with the terms of the Order,
13 Licensee may submit a written request to the Board, accompanied by a written recommendation
14 by her preceptor, to relax the terms of paragraph 5.4.

15 5.7 Licensee must successfully complete the educational activities set out in the
16 Education Plan, including any final evaluation, within the time set out by CPEP, but in no event,
17 more than two years from the effective date of this Order. All instructions made by CPEP shall
18 constitute terms of this Order and will be complied with within the time periods set out by CPEP.

19 5.8 Failure to complete the CPEP education recommendations as set forth in this
20 Order in a timely manner will constitute grounds for discipline.

21 5.9 Licensee's practice, to include her charts, is subject to no notice compliance
22 audits by the Board's designee.

23 5.10 Licensee will provide a copy of this Order to her employer(s) in the health care
24 field.

25 5.11 The Interim Stipulated Order of November 15, 2010, is terminated on the date this
26 order is approved by the Board Chair.

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1 5.12 Licensee will obey all federal and Oregon State laws and regulations pertaining to
2 the practice of medicine.

3 5.13 Licensee stipulates and agrees that any violation of the terms of this Order will be
4 grounds for further disciplinary action under ORS 677.190(17).

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

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IT IS SO STIPULATED this 4 day of October 2011

SIGNATURE REDACTED
CARMA JANE LEE, MD

IT IS SO ORDERED this 4th day of October 2011.

OREGON MEDICAL BOARD
SIGNATURE REDACTED
RALPH A. YATES, DO
Board Chair

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
MICHAEL THOMAS O'GARA, DO) INTERIM STIPULATED ORDER
LICENSE No. DO08605)
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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. Michael Thomas O'Gara, DO (Licensee) is a licensed osteopathic physician in the state of Oregon.

2.

The Board receives notification of malpractice settlements, as required by statute, and conducts reviews of these cases. The Board initiated an investigation of Licensee's care of a patient and her labor and delivery at a hospital on the Oregon coast. The results of the Board's investigation to date have raised concerns to the extent that the Board believes it necessary that Licensee immediately restrict his practice of obstetrics 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 all of the following conditions, effective the date this Order is signed by Licensee:

3.1 Licensee shall refrain from providing obstetrical care, to include taking calls regarding deliveries.

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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 unrestricted 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 and reportable to both the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, and the Federation of State Medical Boards.

IT IS SO STIPULATED THIS 27 day of September, 2011.

SIGNATURE REDACTED

MICHAEL THOMAS O'GARA, DO

IT IS SO ORDERED THIS 27th day of September, 2011.

State of Oregon
OREGON MEDICAL BOARD

SIGNATURE REDACTED

KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
DIANE HENNACY POWELL, MD)
LICENSE NO. MD25438) ORDER MODIFYING STIPULATED
ORDER

1.

On January 13, 2011, Diane Hennacy Powell, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed conditions on Licensee's practice. On July 20, 2011, Licensee submitted a written request to terminate this order.

2.

Having fully considered Licensee's request and compliance with terms 4.2 and 4.3, the Board terminates terms 4.2 and 4.3 of Licensee's January 13, 2011 Stipulated Order effective the date this Order is signed by the Board Chair. All other terms of the January 13, 2011 Stipulated Order are unchanged and remain in full force and effect.

IT IS SO ORDERED this 6th day of October, 2011.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

RALPH A. YATES, DO
Board Chair

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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
BRICE TYLER STANLEY, PA)
LICENSE NO. PA01027) DEFAULT FINAL 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. Brice Tyler Stanley, PA (Licensee) is a licensed physician assistant in the state of Oregon.

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2.1 On August 14, 2008, Licensee and the Board entered into a Stipulated Order in which Licensee admitted that he had engaged in conduct that violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(13) gross or repeated acts of negligence; and ORS 677.190(18) willfully violating a Board order or rule. Licensee received a reprimand and was placed on terms of probation for ten years. One of the terms of probation (paragraph 5.7) specified that "Licensee will not have any intentional contact with any current patient, or any former patient that Licensee provided care to within the prior six months, outside of the medically related environment of the clinic. This does not include brief, inadvertent contact in the community."

2.2 On March 3, 2011, the Board issued an Order of Evaluation directing Licensee to undergo a psychological evaluation by a mental health provider who was pre-approved by the Board's Medical Director in order to determine Licensee's fitness to practice medicine with reasonable skill and safety.

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1 messages to a female medical assistant working at the clinic. Licensee was subsequently
2 terminated from his employment.

3 3.3 On March 3, 2011, the Board issued an Order of Evaluation pursuant to its
4 authority in ORS 677.420(1), (2) and (3), to undergo a comprehensive psychological evaluation
5 for the purpose of determining Licensee's fitness to practice medicine with reasonable skill and
6 safety. The Board directed that Licensee must complete the evaluation within 90 days of the
7 date the Order was signed by the Board's chair. On April 6, 2011, Licensee sent the following
8 e-mail to the Board's Compliance Officer: "No, I won't be submitting to another evaluation."

9 4.

10 CONCLUSIONS OF LAW

11 Licensee's conduct, as described above, breached well recognized standards of practice
12 and ethics of the medical profession. The Board concludes that Licensee's conduct violated
13 ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a);
14 ORS 677.190(13) gross or repeated acts of negligence; and ORS 677.190(17) willfully violating
15 a Board order or rule. Based upon its examination of the record in this case, the Board finds that
16 each alleged violation of the Medical Practice Act is supported by reliable, probative and
17 substantial evidence.

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ORDER

IT IS HEREBY ORDERED THAT the license of Brice Tyler Stanley, PA, to practice medicine as a physician assistant is revoked. The Board's Stipulated Order of August 14, 2008, terminates after this Default Final Order is signed by the Board's Chair.

DATED this 6th day of October 2011.
OREGON MEDICAL BOARD
State of Oregon

SIGNATURES REDACTED

~~RALPH A. KATES, DO~~
BOARD CHAIR

Right to Judicial Review

NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days after the final order is served upon you. See ORS 183.482. If this Order was personally delivered to you, the date of service is the day it was mailed, not the day you received it. If you do not file a petition for judicial review within the 60 days time period, you will lose your right to appeal.