

BEFORE THE
BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of the License of:	Case No. 21-08-25
Dr. Robert Strait, ND	NOTICE OF PROPOSED DISCIPLINARY ACTION
Licensee	AND OPPORTUNITY FOR HEARING

1.

The Board of Naturopathic Medicine (Board) is the State agency responsible for licensing, regulating, and disciplining naturopathic physicians in the State of Oregon, pursuant to Oregon Revised Statutes (ORS) chapter 685 and Oregon Administrative Rules (OAR) chapter 850. Dr. Robert Strait, ND (Licensee) has been a licensed naturopathic physician in the State of Oregon since October 2012 and is subject to the jurisdiction of the Board.

2.

The Board hereby proposes to take disciplinary action against Licensee's license to practice naturopathic medicine, on the grounds described in the following paragraphs. For each violation, the Board may impose a civil penalty up to \$5,000, a term of probation, a letter of reprimand and license limitation, suspension, or revocation.

3.

Dr. Robert Strait is the owner of Full Potential HRT Clinic (Clinic). From March 2020 to 2022 License dispensed testosterone, estradiol, anastrozole, and progesterone to patients at his clinic. Anastrozole belongs to a class of medicines called aromatase inhibitors. It works by blocking an enzyme called aromatase that helps produce estrogen in the body. Licensee prescribed this for male patients on testosterone replacement therapy. Licensee bought anastrozole bottles containing 1 mg 30 tablets from a wholesaler. The number of tablets Licensee dispensed to patients depended on their dose and how long the pills need to cover. Employees at the clinic cut anastrozole tabs and dispensed half or quarter tabs to patients.

4.

Licensee dispensed medication to clinic patients that were prescribed to clinic other patients, e.g. when a patient failed to pick up a prescription for progesterone troches at the Clinic, Licensee would dispense to that medication to a different patient.

5.

Licensee ordered medications under inactive patients' names to be delivered to his clinic, and those medications would be kept on hand at the clinic and dispensed to active patients. Licensee said medications like progesterone troches were sometimes hard to come by so he would order the medication under an inactive patient's name to have on hand to dispense to other patients.

6.

Prescriptions for medication must include the name of the patient to which the medication is being prescribed, and the prescription medication must be labeled with the name of the patient, name of the prescriber, date of dispensing, and name and strength of the drug. Licensee dispensing medication to patients that were prescribed to other patients when a patient failed to pick up a prescription at the Clinic, constitutes a violation of ORS 685.110 (10) Prescribing or dispensing drugs outside the scope of practice and 850-050-0010(1)(c)(A) Negligent prescribing.

7.

Prescriptions for medication must include the name of the patient to which the medication is being prescribed, and the prescription medication must be labeled with the name of the patient, name of the prescriber, date of dispensing, and name and strength of the drug. Licensee ordering medications under inactive patients' names to be delivered to his clinic and dispensing those medications to active patients constitutes violations of ORS 685.110 (10) Prescribing or dispensing drugs outside the scope of practice, 850-050-0010(1)(c)(A) Negligent prescribing, and 850-050-0010(1)(c)(C): Failure to act in accordance with the American Association of Naturopathic Physicians code of ethics as adopted by the Board. (1) Honesty.

8.

For the violations described above; the Board proposes the following discipline:

- Probation: 36 months
- Civil Penalty: \$10,000
- Continuing Education: Eight (8) hours of education focused on ethical prescribing practices; drug security, access, storage, and handling drugs for patient safety.
- Immediate notification to non-active patients Licensee prescribed medication, informing them of all of the prescriptions written under their name.

9.

NOTICE OF OPPORTUNITY FOR HEARING

Licensee is entitled to a hearing as provided by the Administrative Procedures Act (ORS Chapter 183). If you want a hearing, you must file a written request for hearing with the Board within 21 days from the date this notice was mailed. You must submit request for hearing to either via email Naturopathic.Medicine@obnm.Oregon.gov or U.S. Mail to Oregon Board of Naturopathic Medicine, 800 NE Oregon Street, Suite 407, Portland, OR 97232. The request for hearing must be received by the Board within 21 days from the date of mailing of this notice and must be accompanied by a written answer to the charges contained in this Notice. If a request for hearing is not received within 21 days, the right to hearing is waived.

10.

If you request a hearing, you will be notified of the time and place of the hearing. Before the hearing, you will receive information on the procedures, right of representation, and other rights

of parties related to the conduct of the hearing. An administrative law judge from the Office of Administrative Hearings will preside at any hearing. ORS 183.635.

11.

An answer is required to this Notice, pursuant to OAR 850-001-0015, due to the complexity of the matters alleged above. The answer shall be made in writing to the Board and shall include an admission or denial of each factual matter alleged in this Notice, and a short plain statement of each relevant affirmative defense Licensee may have. Except for good cause, factual matters alleged in this notice and not denied in the answer shall be presumed admitted; failure to raise a particular defense in the answer will be considered a waiver of such defense; and new matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency and evidence shall not be taken on any issue not raised in the Notice and answer.

12.

If you fail to request a hearing within 21 days, withdraw a request for a hearing, notify the Board or administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Board may issue a final order by default revoking your license. If the Board issues a default order, the contents of the Board's file automatically become part of the evidentiary record of this disciplinary action for the purpose of proving a *prima facie* case.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active-duty service members have a right to stay these proceedings under the federal Service members Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

DATED this 2nd day of January 2025.

BOARD OF NATUROPATHIC MEDICINE

State of Oregon



Mary-Beth Baptista, JD
Executive Director