

BEFORE THE
BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of the License of:

Usha Honeyman, ND

Licensee.

Case No. 21-02-07

**NOTICE OF PROPOSED DISCIPLINARY
ACTION 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. Usha Honeyman N.D. (Licensee) is a licensed naturopathic physician in Oregon and is subject to the jurisdiction of the Board.

2.

Pursuant to ORS 685.110(8) and OAR 850-050-0010(1)(c)(B) 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. Usha Honeyman has been a licensed naturopathic physician in the State of Oregon since September 25, 2008. Licensee began treating Lyme patients in 2009.

4.

Patient sought treatment from Licensee for Lyme disease in October of 2017. Licensee conducted a medical exam and completed a medical history for patient. Licensee conducted blood tests that indicated Patient had Lyme disease. Licensee prescribed Patient cefdinir and minocycline.

5.

On or about January 24, 2019, Licensee prescribed Patient Azithromycin for a Bartonella infection. Licensee was aware, charted and advised Patient that a known side effect of Azithromycin is interference with the QT interval of the heart. Licensee was aware and charted that Patient has a history of heart issues and suffers from anxiety. Patient regularly sees a cardiologist and has an annual electrocardiogram. Licensee did not conduct a cardiac clinical exam on January 24, prior to prescribing Azithromycin.

6.

The QT interval is a measurement made on an electrocardiogram used to assess some of the electrical properties of the heart. It is calculated as the time from the start of the Q wave to the end of the T wave, and approximates to the time taken from when the cardiac ventricles start to contract to when they finish relaxing. The usual treatment for Bartonella is 1 month of azithromycin, followed by 6 months azithromycin plus rifampin.

7.

Licensee prescribed Patient Azithromycin from January 2019-August of 2020. Licensee was aware, charted and advised Patient that a known side effect of Azithromycin is interference with the QT interval of the heart. Licensee was aware and charted that Patient had a history of heart issues and suffers from anxiety. In Patient charts from their medical visits from January 2019-August 2020, Licensee charted Patient reporting chest and heart pain and heart palpitations, and Patient seeking care from urgent care and emergency room based on chest and heart pain and heart palpitations. Based on these actions and information, Licensee's treatment of Patient violates ORS 685.110(8) and OAR 850-050-0010(1)(c)(B) for not conducting a cardiac clinical exam prior to prescribing Azithromycin or during the any of afore listed medial visits from January 2019- August 2020.

8.

Licensee prescribed Patient Azithromycin from January 2019-August of 2020. Licensee was aware, charted and advised Patient that a known side effect of Azithromycin is interference with the QT interval of the heart. Licensee was aware and charted that Patient had a history of heart issues and suffers from anxiety. In Patient charts from Patient medical visits from January 2019-

August 2020, Licensee charted Patient reporting chest and heart pain and heart palpitations, and Patient seeking care from urgent care and emergency room based on chest and heart pain and heart palpitations. Based on these actions and information, Licensee's treatment of Patient violates ORS 685.110(8) and OAR 850-050-0010(1)(c)(B) for not requesting or reviewing medical records from any outside provider during the period of treatment from January 2019-August 2020.

9.

Licensee prescribed Patient Azithromycin from January 2019-August of 2020. Licensee was aware, charted and advised Patient that a known side effect of Azithromycin is interference with the QT interval of the heart. Licensee was aware and charted that Patient had a history of heart issues and suffers from anxiety. In Patient charts from Patient medical visits from January 2019-August 2020, Licensee charted Patient reporting chest and heart pain and heart palpitations, and Patient seeking care from urgent care and emergency room based on chest and heart pain and heart palpitations. Based on these actions and information, Licensee's treatment of Patient violates ORS 685.110(8) and OAR 850-050-0010(1)(c)(B) for not referring Patient to an outside provider to undergo a cardiac clinical exam during the period of treatment from January 2019- August 2020.

10.

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

A. Probation – 12 Months.

B. Civil Penalty - \$2,500

C. Six (6) Hours of Pharmacology Continuing Education – focus on drug monitoring, recognizing, and treating side effects, with emphasis on cardiac care, in addition to hours required for annual renewal per 850-040-0210, to be completed within the first six (6) months of probation.

11.

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.

12.

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.

13.

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.

14.

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 becomes 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 22 day of August 2022.

BOARD OF NATUROPATHIC MEDICINE
State of Oregon



Mary-Beth Baptista, Executive Director