

BEFORE THE
BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of the License of:

Case No. 21-03-13

Dr. Seth Burrell, ND

Consent Order and Settlement Agreement

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. Seth Burrell N.D. (Licensee) is a licensed naturopathic physician in Oregon and is subject to the jurisdiction of the Board.

2.

The Board issued a Notice of Proposed Disciplinary Action to Licensee on or about January 30, 2023. Licensee was provided with the opportunity to request a hearing on the Notice. In lieu thereof, the parties wish to resolve this matter informally, without any hearing, appeal, or judicial review, by entering this Settlement Agreement and Consent Order, pursuant to ORS 183.417(3) on the terms set forth below.

SETTLEMENT AGREEMENT

3.

The Board finds and the Licensee stipulates to the findings of violations described in the Notice of Proposed Disciplinary Action filed in this proceeding. The findings of facts and conclusions of law regarding those violations in the Notice of Proposed Disciplinary Action are incorporated

by reference into this settlement agreement and consent order. Licensee agrees that the Board may enter the Consent Order set forth below, including the following terms and conditions:

A. Civil Penalty: \$10,000 imposed, \$5000 suspended and waived with successful completion of probation. Licensee may contact the Board within 30 days of signing this order to establish a payment plan for the remaining \$5000 which must be paid by the last day of probation. Otherwise the full amount is due within 30 days of signing this order.

B. Probation: Three (3) years – with the following conditions:

i. Continuing Education: Prior to signature on this order, in lieu of a practice restriction, Licensee completed 21 hours diagnostic obstetric ultrasound examination training approved by the Board that focused on thorough understanding of the indications and guidelines for ultrasound examinations as well as familiarity with the basic physical principles and limitations of the technology of ultrasound imaging, including anatomy, physiology, and pathophysiology of those organs or anatomic areas that are being examined. Training focused on attaining requisite competence needed to successfully perform and interpret diagnostic obstetric ultrasound examinations, and methods of documentation and reporting of ultrasound studies.

ii. Chart Review: Within 30 days of signing this order, and every three months thereafter, Licensee shall provide Board five new (5) patient charts. Patient charts will be selected by the Board at random from licensee's schedule for the prior quarter. Patient charts will be reviewed by a Board approved reviewer. Licensee will incur all costs associated with quarterly chart reviews. After a minimum of 18 months, if Licensee chart reviews demonstrate the expected standard of care and all other probation conditions have been met, Licensee may ask the Board to terminate the chart review condition of probation.

C. Licensee shall comply with the statutes, rules and orders of the Board.

D. Licensee may ask the Board to terminate probation after 24 months from the signing of this order if all probation conditions have been met.

E. Licensee's failure to comply with any term of this order, ORS chapter 685 or OAR chapter 850 shall be grounds for additional discipline by the Board.

CONSENT ORDER

The Board issues the following order:

A. Civil Penalty: \$10,000 imposed, \$5000 suspended and waived with successful completion of probation. Licensee may contact the Board within 30 days of signing this order to establish a payment plan for the remaining \$5000 which must be paid by the last day of probation. Otherwise, the full amount is due within 30 days of signing this order.

B. Probation: Three (3) years – with the following conditions:

i. Continuing Education: Prior to signature on this order, in lieu of a practice restriction, Licensee completed 21 hours diagnostic obstetric ultrasound examination training approved by the Board that focused on thorough understanding of the indications and guidelines for ultrasound examinations as well as familiarity with the basic physical principles and limitations of the technology of ultrasound imaging, including anatomy, physiology, and pathophysiology of those organs or anatomic areas that are being examined. Training focused on attaining requisite competence needed to successfully perform and interpret diagnostic obstetric ultrasound examinations, and methods of documentation and reporting of ultrasound studies.

ii. Chart Review: Within 30 days of signing this order, and every three months thereafter, Licensee shall provide Board five new (5) patient charts. Patient charts will be selected by the Board at random from licensee's schedule for the prior quarter. Patient charts will be reviewed by a Board approved reviewer. Licensee will incur all costs associated with quarterly chart reviews. After a minimum of 18 months, if Licensee chart reviews demonstrate the expected standard of care and all other probation conditions have been met, Licensee may ask the Board to terminate the chart review condition of probation.

iii. Licensee may ask the Board to terminate probation after 24 months from the signing of this order if all probation conditions have been met.

C. Licensee shall comply with the statutes, rules and orders of the Board.

DATED this _____ day of _____ 2023.

BOARD OF NATUROPATHIC MEDICINE, State of Oregon

Mary-Beth Baptista, JD
Executive Director, Board of Naturopathic Medicine