

BEFORE THE  
BOARD OF NATUROPATHIC MEDICINE  
STATE OF OREGON

In the Matter of the License of:

**David Geller, ND**

Licensee.

Case No. 21-02-07

**Final Order by Default  
DISCIPLINE**

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 or Oregon Revised Statutes (ORS) chapter 685 and Oregon Administrative Rules (OAR) chapter 850. David Geller, N.D. (Licensee) is a licensed naturopathic physician in Oregon and is subject to the jurisdiction of the Board.

2.

The Board sent via certified mail a Notice of Proposed Disciplinary Action to Licensee on or about August 22, 2022. Licensee signed certification on or about August 29, 2022. The notice informed Licensee of the right to request a hearing within 21 days. The notice informed Licensee that in the event the Board issues a final order by default, the Board designates its file on this matter for purposes of proving a *prima facie* case. To date, the Board has not received a hearing request from Licensee.

3.

**NOW, THEREFORE**, after consideration of the relevant records and files of the Board relating to this matter, the Board enters the following Findings of Fact, Conclusions of Law, and Final Order:

4.

**Findings of Fact**

A. Dr. David Geller has been licensed as a naturopathic physician in the State of Oregon since October 4, 2017.

B. Licensee and Patient both rented space at the Portland Wellness Collective (PWC) in 2019-2021. Licensee and Patient established a doctor patient relationship in October 2019.

C. Patient, a licensed medical professional, treated Licensee in September 2019, in exchange for treatments from Licensee. During a treatment provided by Patient, Licensee appeared to look at the area between their legs, making Patient uncomfortable.

D. During an October 2019, medical appointment Licensee asked for and received permission to perform energy work on Patient. Licensee touched Patient between their legs as part of the treatment. Patient acknowledged they gave permission for energy work but did not know they were giving Licensee consent to touch their private parts over their clothing.

E. During a medical appointment in November 2019, without context or relevance, Licensee asked Patient about their sexual relationships, including questions regarding their sexual partner and their sexual behavior.

F. During a November 2019, open house event at PWC, within earshot of Patient's potential clients and colleagues, Licensee brought up the position of Patient's legs / private area during the September 2019, treatment. Licensee explicitly stated Patient's "crotch was right there!!" as he pointed to where Patient's private area was in relation to him as he received treatment.

G. After the open house concluded, Licensee made a comment to Patient and a colleague that he was feeling excited that it had gone well and said something to the affect that he

“...wanted to give them a high five, and a butt slap.” Licensee’s statement made Patient and Colleague uncomfortable.

5.

**Conclusions of Law**

A. Licensee and Patient established a doctor / patient relationship on / about September 2019. Subsequently, Licensee inappropriately attempted to view Patient’s private area, touched their private area as part of treatment without consent, and made explicit reference to seeing her private area in front of Patient, colleagues, and potential clients. Without context or relevance, Licensee asked Patient about their sexual relationships, including questions regarding their sexual partners and their sexual behavior. Licensee also stated to Patient, in front of colleagues, that he wanted to give them a “butt slap.” Based on these actions and information, Licensee is in violation of 850-050-0190(4)(b): Engaging in any conduct with a patient that is sexual, or may be reasonably interpreted as sexual, whether initiated by the patient or not.

B. Licensee and Patient established a doctor / patient relationship on / about September 2019. Subsequently, Licensee inappropriately attempted to view Patient’s private area, touched their private area as part of treatment without consent, made explicit reference to seeing her private area in front of Patient, colleagues, and potential clients. Without context or relevance, Licensee asked Patient about their sexual relationships, including questions regarding their sexual partners and their sexual behavior. Licensee also stated to Patient, in front of colleagues, that he wanted to give them a “butt slap.” Based on these actions and information, Licensee is in violation of 850-050-0190(4)(c): Any behavior, gesture, or expression that is sexually seductive or sexually demeaning to a patient, or any action that shows a lack of respect for the patients privacy.

6.

**Final Order**

The Board hereby orders the following discipline for Licensee for the violations described above.

A. Probation – 36 Months.

B. Civil Penalty - \$7,500 due within 30days of signature of this Order.

C. Twelve (12) hours of continuing education in addition to hours required for annual renewal per 850-040-0210, to be completed within the first six (6) months of probation.

(i) Eight (8) hours of continuing education – focused on appropriate doctor / patient boundaries, concepts of boundaries, boundary crossings, and boundary violations.

(ii) Four (4) hours of continuing education – focus on ethics and professional conduct and ethical decision making.

DATED this 26 day of September 2022.

BOARD OF NATUROPATHIC MEDICINE

State of Oregon

(COPY)

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Mary-Beth Baptista, Executive Director

**NOTICE OF RIGHT TO JUDICIAL REVIEW**

You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this order. Judicial review is in accordance with ORS 183.482(1) to the Oregon Court of Appeals.