

BEFORE THE  
BOARD OF NATUROPATHIC MEDICINE  
STATE OF OREGON

In the Matter of the License of:

**Mary Grabowska, ND**

Licensee.

---

Case No. 20-04-06

Case No. 20-07-24

**THIRD AMENDED**

**CONSOLIDATED 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. Mary Grabowska 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 (14) and (23), OAR,850-050-0190(3) and (5), 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.

The Provider Clinical Support Unit (PCSU) of the Oregon Health Authority (OHA) is responsible for reviewing requests for Out of Hospital Births (OOHB) to confirm that each request meets established criteria for approval and determines if the requested service is clinically appropriate and reimbursable through Medicaid.

4.

On October 24, 2019, Licensee submitted a prior approval request to OHA PCSU for an out of hospital birth for Patient A. The second page of the prior approval request for an OOHB lists specific information to include in the prior authorization packet. The ninth entry on the list

requests a "complete maternal OB history." Licensee listed her chart note from July 17, 2019, to represent Patient A's complete maternal OB history. The July 17, 2019, chart note does not mention a previous C-section. Item ten requests a "complete medical/surgical history."

A prior cesarean delivery is a disqualifier from Medicaid approval for OOHB services. Licensee did not note cesarean scarring in any other assessment findings. OHA PCSU approved the authorization prior to the labor and delivery of Patient A's child. Patient A had disclosed to Licensee in her new patient paperwork that she had a previous c-section. Licensee wrote "prior c-section" in Patient A's Sept. 11, 2019, assessment section of her chart notes which was provided to OHA PCSU but this chart note was not listed under Item 9 requesting a complete maternal OB history or Item 10 requesting a complete medical/surgical history. Subsequently, complications arose during Patient A's labor on January 21, 2020, and care was transferred to Legacy Emanuel emergency services. Hospital reports indicated that Patient A had a history of a previous cesarean delivery.

5.

Licensee's failure to truthfully respond with the information requested in the OHA prior approval OOHB form, and withholding information known to disqualify a patient from an Out of Hospital Birth, are violations of ORS 685.110(23) and OAR 850-050-0190(5) as it was a misrepresentation related to naturopathic medicine. Licensee's failure to truthfully respond with the information requested in the OHA prior approval OOHB form, and withholding information known to disqualify a patient from an Out of Hospital Birth, are violations of ORS 685.110(14) and (23) and OAR 850-050-0190(3) as the conduct was contrary to the American Association of Naturopathic Physicians Code of Ethics, which requires that a naturopathic physician conduct themselves honestly and not engage in false or deceptive conduct.

6.

Licensee submitted a CPR card to staff at Birthingway College that represented she completed a CPR training provided by Jennifer Walton with Just In Time Training, and the card was valid from 09/27/17 to 09/29/19. When Birthingway staff told Licensee they would be verifying her

attendance of the course with the AHA, Licensee informed staff she did not take the training, and forged the CPR card.

7.

On November 13, 2019, Licensee was terminated from her position as student preceptor for the following violations of the college's preceptor agreement: 1) meet preceptor requirements for supervision and documentation, and 2) provide and model professional behavior and boundaries.

8.

Licensee acknowledged that she started her preceptorship with Student A without completing the college's preceptorship requirement for CPR. After several months serving as a preceptor for Student A, the college informed Licensee she needed to submit her CPR before Student A could get credit for the preceptorship and graduate. Licensee admitted she found an expired CPR card and altered the dates to show it was valid for the period she was a preceptor for Student A. Licensee admitted she sent Birthingway the fraudulent CPR card to deceive them so Student A could graduate.

9.

Student A was not aware that licensee forged the CPR card until Birthingway College staff informed them. Student A did not get credit for the time spent with Licensee and had to redo the preceptorship with a different preceptor to graduate.

10.

Licensee knowingly applied for a preceptorship without meeting the specific requirements, falsified an expired CPR card by affirming that she had completed the required training and altered and falsified the valid dates to deceive staff at Birthingway College that she completed their training requirements. Based on the grounds described above and in the previous recitations, Licensee is in violation of ORS 685.110(14) and (23), OAR 850-050-0190(3) as the conduct was contrary to the American Association of Naturopathic Physicians Code of Ethics, which requires that a naturopathic physician conduct themselves honestly and not engage in false or deceptive conduct.

11.

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

- A. Probation-36 Months.
- B. Civil Penalty - \$5,000 (2,500 per violation).
- C. Six (6) Month Suspension - Natural Childbirth Certificate and License to practice naturopathic medicine.
- D. Ten (10) Hours Continuing Education in addition to annual continuing education renewal requirements per 850-040-0210, to be completed within the first 12 months of probation- Six (6) Ethics and Four (4) Fraud and Abuse.

12.

**NOTICE OF OPPORTUNITY FOR HEARING**

Licensee is entitled to a hearing as provided by the Administrative Procedures Act (ORS Chapter 183). The Board acknowledges Licensee filed a written request for hearing with the Board on March 9, 2022, within 21 days from the date the initial notice was mailed and the matter has been set for hearing by the Office of Administrative Hearings.

13.

If you withdraw a request for a hearing, notify the Board or administrative law judge that you will not appear or fail to timely 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 8<sup>th</sup> day of October 2022.

BOARD OF NATUROPATHIC MEDICINE  
State of Oregon

A handwritten signature in black ink, appearing to read 'MB Baptista', with a long horizontal flourish extending to the right.

---

Mary-Beth Baptista, Executive Director