

BEFORE THE
BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of the License of:

Dr. Mihaela Pepel ND

Licensee.

Case No. 24-05-13

**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. Mihaela Pepel, N.D. (Licensee) is a licensed naturopathic physician in Oregon and is subject to the jurisdiction of the Board. Based on the following, the Board proposes to issue a reprimand in this case.

2.

Dr. Mihaela Pepel has been a licensed naturopathic physician in the State of Oregon since September 19, 2006.

3.

On April 25, 2024, Patient observed Dr Pepel's office was disorganized and unsanitary. Dr. Pepel's elbow was bleeding. Without wearing gloves, Dr. Pepel dabbed the blood coming from her injury with a tissue, and then threw the tissues on the floor.

4.

Licensee prepared Patient's forms while her elbow was bleeding and handed patient those forms containing blood stains and bloody fingerprints. Licensee did not bandage her elbow during the appointment and had blood on her hands when she handled patient's medication. Licensee prepared and provided a form to Patient that had a different patient's health / private information on the backside of the paper.

5.

Bloodborne pathogens are infectious microorganisms in human blood that can cause life-threatening diseases and pose severe risks to humans. These pathogens include but are not limited to, hepatitis B (HBV), hepatitis C (HCV), and human immunodeficiency virus (HIV). Bloodborne pathogens are microorganisms transmitted through the bloodstream and other potentially infectious materials. The most common cause of transmission in a healthcare

environment is when an infected individual's blood enters another individual's bloodstream through an open wound. Bloodborne pathogens are most commonly transmitted through, including but not limited to, contact between broken or damaged skin and infected body fluids, open sores, cuts, abrasions or any damaged or broken skin.

6.

During the April 25th appointment, Licensee did not adhere to standard hygiene practices, or accepted standards of care to reduce the risk of exposure to bloodborne pathogens to her patient and did not take steps to control those risks. This conduct violates the recognized standard of ethics of the profession, OAR 850-050-0010(1)(b)(C), the failure to act in accordance with the American Association of Naturopathic Physicians Code of Ethics as adopted by the Board, specifically:

4) Performance: A naturopathic physician shall perform professional tasks and responsibilities to the best of the naturopathic physician's ability, and standards of care and refrain from engaging in any behavior that will detract from his or her ability to engage in the competent practice of naturopathic medicine.

5) Obligation: The fundamental and primary obligation of a naturopathic physician is to the patient and the maintenance and improvement of the patient's health and wellbeing.

7.

For the foregoing violations, the Board proposes the following discipline: Reprimand

8.

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.

9.

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.

10.

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.

11.

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 ___ 21 ___ day of ___ October ___ 2024.

BOARD OF NATUROPATHIC MEDICINE

State of Oregon



Mary-Beth Baptista, JD Executive Director