

BEFORE THE
BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of the License of:

Case No. 14-08-29

Phillip Grasso, N.D.,

Consent Order

Licensee.

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

The Board issued a Notice of Proposed Disciplinary Action to Licensee for failure to comply with the terms of probation on or about August 20, 2017. Licensee was provided 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

1. The Board finds the following violations alleged 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 penalties in the total amount of six thousand dollars (\$6,000) imposed, five thousand dollars (\$5000) previously imposed, one thousand dollars (\$1000) previously suspended, imposed per the terms of the Settlement Agreement and Consent Order (Order), entered on or about October 12, 2015, Section (4) “Under the terms of the Order, Licensee was required to (i) pay civil penalties in the amount of ten thousand dollars (\$10,000), with five thousand dollars (\$5,000) suspended pending compliance with the terms of probation.” Board acknowledges Licensee has paid one thousand nine hundred dollars (\$1950) of the six thousand dollar (\$6000) civil penalty. Beginning April 1, 2018, Licensee will make monthly payments of one hundred fifty dollars (\$150) until the remaining four thousand fifty dollars (\$4,050) is paid for a total of six thousand dollars (\$6000)
- B. Licensee shall serve a total of five (5) years of probation. Board acknowledges Licensee has served two (2) years and five (5) months of the five (5) year probation term. If Licensee complies with all conditions of probation imposed per this Settlement Agreement and Consent Order and conditions of the Settlement Agreement and Consent Order entered on or about October 12, 2015, probation shall terminate on or about October 12, 2020.
- C. In addition to the Board’s annually required continuing education requirements, Licensee shall submit an application for approval by the Board for (8) hours of continuing education relating to recognizing drug addiction / caring for patients with drug addiction within 30 days of signing this Order. Licensee shall complete approved CE submitted. Board acknowledges Licensee has completed eight (8) hours continuing education relating to pain management imposed as a condition of probation in Order signed on or about October 12, 2015.

D. Licensee shall submit to the Board or Board representative 10 patient charts, chosen by the Board or Board representatives, for patients Licensee is actively prescribing schedule II, IIN, III, and IIIN, to be submitted to a Board approved reviewer.

Licensee shall submit the first 10 charts three months from the date of signature on this order, and every three months on that date thereafter, until the termination of probation.

E. Licensee shall maintain a daily prescription log. Licensee shall submit the log to the Board three months from the date of signature on this order, and every three months on that date thereafter, for one year.

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

2. Licensee acknowledges that he has had the opportunity to seek the advice of legal counsel. Licensee further acknowledges that he understands and agrees to the terms of this Order.
3. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183), and fully and finally waives any and all right to a hearing and any rights to appeal or otherwise challenge this Settlement Agreement and Consent Order.
4. The parties acknowledge that this Settlement Agreement and Consent Order is a public document.

5. This Settlement Agreement and Consent Order shall take effect on the date it is signed by the Board.

IT IS SO STIPULATED.

SIGNATURE ON FILE


Phillip Grasso, ND

4 / 3 / 18

Date

CONSENT ORDER

The Board issues the following final order:

- A. Civil penalties in the total amount of six thousand dollars (\$6,000) imposed, five thousand dollars (\$5000) previously imposed, one thousand dollars (\$1000) previously suspended, imposed per the terms of the Settlement Agreement and Consent Order, entered on or about October 12, 2015, Section (4) "Under the terms of the Order, Licensee was required to (i) pay civil penalties in the amount of ten thousand dollars (\$10,000), with five thousand dollars (\$5,000) suspended pending compliance with the terms of probation." Board acknowledges Licensee has paid one thousand nine hundred (\$1950) of six thousand dollar (\$6000) civil penalty. Beginning April 1, 2018, Licensee will make monthly payments of one hundred fifty dollars (\$150) until the remaining four thousand fifty dollars (\$4,050) is paid for a total of six thousand dollars (\$6000)
- B. Licensee shall serve a total of five (5) years of probation. Board acknowledges Licensee has served two (2) years and five (5) months of the five (5) year probation term. If Licensee complies with all conditions of probation imposed per this Settlement Agreement and Consent Order and condition of Settlement Agreement and Consent Order entered on or about October 12, 2015, probation shall terminate on or about October 12, 2020.
- C. In addition to the Board's regular continuing education requirements, Licensee shall submit an application for approval by the Board for (8) hours of continuing education relating to recognizing drug addiction / caring for patients with drug addiction within 30 days of signing this Order. Licensee shall complete approved CE submitted.

Board acknowledges Licensee has completed eight (8) hours continuing education relating to pain management.

D. Licensee shall submit to the Board or Board representative 10 patient charts, chosen by the Board or Board representatives, for patients Licensee is actively prescribing schedule II, IIN, III, and IIIN, to be submitted to a Board approved reviewer.

Licensee shall submit the first 10 charts three months from the date of signature on this order, and every three months on that date thereafter, until the termination of probation.

E. Licensee shall maintain a daily prescription log. Licensee shall submit the log to the Board three months from the date of signature on this order, and every three months on that date thereafter, for one year.

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

DATED this 3 day of April 2018.

BOARD OF NATUROPATHIC MEDICINE
State of Oregon

SIGNATURE ON FILE

Mary-Beth Baptista
Mary-Beth Baptista, Executive Director