

BEFORE THE
BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of

Nathan Daniel McVeigh, ND

Licensee.

Case Nos. N16-01-01, N16-05-05

**AMENDED SETTLEMENT
AGREEMENT AND CONSENT
ORDER**

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. Nathan Daniel McVeigh ND (Licensee) is a licensed naturopathic physician in Oregon and subject to the jurisdiction of the Board.

2.

Licensee entered into Settlement Agreement and Consent Order; Case No. N16-01-01, N16-05-05 on or about February 14, 2017. Licensee agrees the Board may enter into an Amended Settlement Agreement Consent Order. The parties wish to resolve this matter informally, without any hearing, appeal, or judicial review, by entering this Amended Settlement Agreement and Consent Order, pursuant to ORS 183.417(3) on the terms set forth below. The Board finds, Licensee denies, but stipulates to the following:

3.

Licensee treated Patient A between November 4, 2014 – January 2016. Patient records show Licensee saw Patient A on November 25, 2014, December 18, 2014, and January 9, 2015. Chart notes from that period only contain a “health plan” and do not record SOAP chart notes for those

dates of treatment. Licensee prescribed Patient A Lorazepam in May and June 2015, Diazepam in November, and December of 2015. Licensee did not record the prescriptions in Patient A's chart and did not provide justification or rational for the medication. Licensee failed to prepare and maintain accurate chart notes for Patient A. Licensee inaccurate and incomplete patient charts was a violation of 850-050-0010(1)(a)(B) Inadequate charting.

4.

Licensee prescribed dextroamp-amphetamine to Patient B in September and November of 2015, and again on January 19, 2016. Licensee did not prepare or maintain accurate chart notes for Patient B. Licensee failure to establish charts for Patient B was a violation of 850-050-0010(1)(a)(B) Inadequate charting.

5.

Licensee treated Patient C from September 20, 2014, through December 2015. Licensee prescribed Patient C hydrocodone-ibuprofen in February and March 2015; and prescribed oxycodone-acetaminophen March 2015, and regularly prescribed alprazolam from January 8, 2015, to December 10, 2015. Licensee did not record the prescriptions in Patient C's chart and did not provide justification or rational for the medication. Licensee inaccurate and incomplete patient charts was a violation of 850-050-0010(1)(a)(B) Inadequate charting.

6.

Licensee began treating Patient D in April 2015. Licensee prescribed Patient D lorazepam on November 25, 2015, and December 10, 2015, and clonazepam in December of 2015 and January 2016. Licensee did not record the prescriptions in Patient D's chart and did not provide justification or rational for the medication. Licensee inaccurate and incomplete patient charts was a violation of 850-050-0010(1)(a)(B) Inadequate charting.

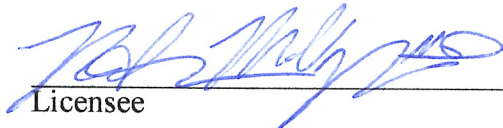
SETTLEMENT AGREEMENT

Licensee entered into Settlement Agreement and Consent Order; Case No. N16-01-01, N16-05-05 on or about February 14, 2017. Licensee agrees that the Board may enter the Amended Settlement Agreement and Consent Order set forth below, which supersedes and replaces the prior Settlement Agreement and Consent Order in this matter. Licensee and the Board agree to the following terms and conditions:

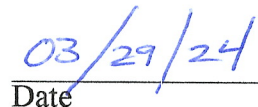
1. Licensee shall notify the Board within seven (7) calendar days of leaving employment or gaining new employment, including self-employment, as a naturopathic physician.
2. Probation: 24 months, starting with issuance of this Settlement Agreement and Consent Order. The probationary period will be tolled during any period in which Licensee is not employed as a naturopathic physician. Any time in which the Licensee is not employed as a naturopathic physician will be added to the 24-month total active probationary period.
3. Civil penalty: \$10,000. The Board will suspend \$5,000 of the civil penalty, which will be suspended and waived if the probation is successfully completed. Any violation of the terms of this agreement will result in an imposition of the suspended \$5,000 civil penalty.
4. Continuing Education:
 - i. Eight (8) best practices in patient charting
 - ii. Eight (8) hours prescribing controlled substances
 - iii. Licensee will be given credit for courses completed in 2023 upon Board approval of the certificates of completion of those courses.
5. Chart Review: Within six (6) months of establishing practice or employment, quarterly chart reviews as follows and will continue during the active probationary period of 24 months:
 - a. Five (5) patient charts chosen at random by the Board.
 - b. Licensee is responsible for all costs associated with chart review.

6. Licensee shall comply with the statutes, rules, and orders of the Board.
7. 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.
8. Licensee enters into this Settlement Agreement and Consent Order voluntarily and without any force or duress. Licensee states that the Board and Board staff have not made promises or representations not stated herein to induce him to sign this document and agree to issuance of the Order.
9. Licensee acknowledges that he had the opportunity to seek the advice of legal counsel. Licensee further acknowledges that he understands and agrees to the terms of this Order.
10. Licensee understands 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.
11. The parties acknowledge that this Settlement Agreement and Consent Order is a public document.
12. This Settlement Agreement and Consent Order shall take effect on the date it is signed by the Board.

IT IS SO STIPULATED.



Licensee



Date

CONSENT ORDER

The Board issues the following order:

1. Licensee shall notify the Board within seven (7) calendar days of leaving employment or gaining new employment, including self-employment, as a naturopathic physician.
2. Probation: 24 months, starting with issuance of this Settlement Agreement and Consent Order. The probationary period will be tolled during any period in which Licensee is not employed as a naturopathic physician. Any time in which the Licensee is not employed as a naturopathic physician will be added to the 24-month total active probationary period.
3. Civil penalty: \$10,000. The Board will suspend \$5,000 of the civil penalty, which will be suspended and waived if the probation is successfully completed. Any violation of the terms of this agreement will result in an imposition of the suspended \$5,000 civil penalty.
4. Continuing Education:
 - i. Eight (8) best practices in patient charting
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 - b. Licensee is responsible for all costs associated with chart review.

DATED this 29 day of March, 2024.

BOARD OF NATUROPATHIC MEDICINE – State of Oregon



Mary-Beth Baptista, Executive Director