

BEFORE THE  
BOARD OF NATUROPATHIC MEDICINE  
STATE OF OREGON

In the Matter of the License of:

**Janna Redding, N.D.,**

Licensee.

Case No. N 17-03-12

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

2.

The Board conducted an investigation based on a complaint received regarding Licensee. Based on the results of the investigation and pursuant to ORS 685.110 (14), OAR 850-050-0190(2), OAR 850-050-0190(3)(a), OAR 850-050-0010(1)(c)(B) and OAR 850-050-0010(1)(c)(C), 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 Oregon Board of Naturopathic Medicine (Board) received a complaint from Complainant who is employed at the same clinic as licensee. Complainant reported she received

information from Patient A that licensee had engaged a series of inappropriate Facebook messages with Patient A on or about December 10, 2016.

4.

Licensee has treated Patient A since 2015. Patient A stated she began communicating with Licensee via Facebook in 2016, due to Patient A being out of the country coupled with the need for continued medical medication management.

5.

On or about December 10, 2016, Licensee and Patient A engaged in a Facebook message thread. The message thread included statements that lead Patient A to believe that Licensee might harm herself. Patient A called Complainant, and Complainant called 911. Police conducted a safety check on Licensee.

6.

Licensee sent hostile Facebook messages to Patient A because she believed that Patient A called the police on or about the December 10<sup>th</sup>. Patient A ended the doctor patient relationship in December 2016.

7.

Licensee admitted that she was drinking alcohol while messaging Patient A on or about December 10, 2016. Licensee denied that she had thoughts of or plans for self-harm. Licensee stated this was an isolated incident and acknowledged that it crossed the doctor-patient boundary.

8.

Complainant stated Licensee took frequent sick days during the third and fourth quarter of 2016. Complaint alleged that Licensee sounded intoxicated over the phone during one sick

day notification. Complainant has reason to believe licensee's sick days are related to alcohol consumption.

9.

Licensee was the subject of a November 28, 2016, performance review. Licensee scored low on dependability relating to her cancelling and rescheduling patients frequently in the review. The review also contained a note stating managements' concern "that [Licensee's] recent scheduling issues are related more to [Licensee's] alcohol addiction than to patient management issues."

10.

Licensee admitted to having a drinking problem during this period of time and sought counseling and treatment. Licensee maintains that her use of alcohol never interfered with patient care.

11.

Licensee disclosed on her application for examination, on or about July 02, 2012, that on or about April 18, 2012, she was arrested and charged with Driving Under the Influence of Intoxicants (DUII), and Reckless Driving. Licensee pled guilty to two class A misdemeanors, DUII and Reckless Driving on or about May 23, 2012. Licensee entered into a one-year diversion agreement, and among other conditions sentenced to complete an alcohol / drug evaluation and treatment and 40 hours of community service with an agency that deals with consequences of driving under the influence.

12.

The Board initiated a discipline investigation regarding the aforementioned disclosure. On or about October 10, 2012, the Licensee signed a Consent Order with the Board agreeing to

two (2) years of probation and as a condition of probation to attend a stress management continuing education course and engage in counseling. Licensee successfully completed her probation on or about October 10, 2014.

13.

**VIOLATIONS:**

The Board found by the preponderance of the evidence that Licensee did not maintain the appropriate or proper doctor-patient boundaries when she engaged in personal Facebook messages with Patient A, while drinking alcohol, and constitutes a violation of ORS 685.110 (14) – Engaging in any conduct or practice contrary to a recognized standard of ethics, and OAR 850-050-0010(1)(c)(C) Conduct contrary to the recognized standards of ethics.

14.

Licensees frequent unscheduled sick time absences from the clinic resulted in multiple patients having to be rescheduled. Complainant had reason to believe during a conversation with Licensee she sounded intoxicated during one phone conversation requesting a sick day.

15.

Licensee was the subject of a November 28, 2016 performance review. Licensee scored low on dependability relating to her cancelling and rescheduling patients frequently in the review. The review also contained a note stating managements concern “that [Licensees] recent scheduling issues are related more to [Licensees] alcohol addiction than to patient management issues.”

16.

Licensee admitting to having a drinking problem in the aforementioned time period.

17.

The Board found by the preponderance of the evidence of the aforementioned behavior constitutes a violation of OAR 850-050-0190 (2) – Habitual use of ardent spirits, narcotics, or other intoxicants and OAR 850-050-0190(3)(a) Any conduct or practice contrary to recognized standards of ethics.

18.

**Discipline**

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

1. Civil penalties in the total amount of five thousand dollars (\$5,000); suspend \$5000 upon successful completion of probation.
2. Three (3) years of probation, with the following conditions:
  - a. In addition to the Board’s regular continuing education requirements, during the first year of probation, Licensee shall complete “Introduction of Professional Ethics Boundaries & Crossings” provided by Professional Boundaries, Inc.
  - b. Licensee shall undergo a state certified alcohol evaluation with-in the first 60 days of probation and treatment as recommended.
  - c. Licensee shall comply with the statutes, rules and orders of the Board.

19.

**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 mail any request for hearing 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.

20.

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.

21.

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.

22.

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 becomes 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 800-452-7500 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

BOARD OF NATUROPATHIC MEDICINE  
State of Oregon

*COPY – ORIGINAL SIGNED ON / ABOUT 11/7/2017*

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Mary-Beth Baptista, Executive Director