

BEFORE THE
BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of the License of:

Mihaela Pepel, N.D.,

Licensee.

Case No. N 18-03-11

**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.

2.

The Board investigated Licensee for making false and misleading claims regarding her status as a medical doctor. Based on the results of the investigation and pursuant to ORS 685.110 (23), OAR 850-050-0140 and 850-050-0190(6). 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.

Dr. Mihaela Pepel has been a licensed Naturopathic Physician in the State of Oregon since September 2006. Dr. Pepel's practice address on file with the Board of Naturopathic Medicine (Board) is:

DR PEPEL FAMILY PRACTICE
30250 SW PARKWAY AVENUE SUITE 6
WILSONVILLE OR 97070

4.

As of the date of this notice, per the Oregon Medical Board (OMB) License Verification website page, Dr. Pepel is not a licensed Medical Doctor in the State of Oregon. .

5.

As of the date of this Notice Dr. Pepel identifies herself on the above referenced practice website <drpepelmdnd.com> as “Mihaela Pepel MD ND.” The “about page” on her practice website states in part:

Dr. Pepel Family Practice | Mihaela Pepel MD ND

About Dr. Pepel

Doctor Pepel is both a Medical Doctor and a Naturopathic Doctor, giving her a broad range of medical approaches. She has been educated and has experience in both Europe and the United States. Her combined experience of 24 years in conventional and holistic naturopathic medical training and practice give her unique insights and approaches beyond those available to practitioners trained in only conventional or only naturopathic medicine.

6.

As of the date of this Notice Dr. Mihaela Pepel identifies herself as both a MD and ND, and states she is a certified medical doctor in her profile on the marketing website <wellness.com>. Her profile states in part:

About Mihaela Pepel MD ND

Mihaela Pepel MD ND practices as an Integrative Doctor in Lake Oswego, OR. She graduated from NCNM Portland OR and UMF Iasi Romania and has been practicing since 1990.

Years In Practice

28

Primary Specialty

Integrative Doctor

Gender

Female

Education

NCNM Portland OR and UMF Iasi, Romania

Training

IV Therapy

Certification

Medical Doctor, Naturopathic Doctor, and Homeopathy

As of the date of this Notice Dr. Pepel identifies herself as both a MD and ND in her profile on the marking website <yelp.com>. Two patient reviews currently on Dr. Pepel's profile page on the Yelp website read in their entirety (*emphasis added*) as follows:

jessie s.

Portland, OR

0 friends

3 reviews

I went to Dr. Pepel seeking help with a chronic condition that has caused me a lot of grief for years, and she has been an amazing leader and partner in helping me get the issue under control.

After prescriptions alone and naturopathic methods alone both failed to cure the condition, I was very excited to find a doctor near my home that is both an MD and an ND. I believe it is important to consider both routes for healthcare, but it is difficult to find doctors that are willing to explore both areas while creating a treatment plan.

Having a doctor that believes in both, and is educated in both, has been invaluable to me.

I came into my first visit with Dr. Pepel feeling hopeless. I felt like I had tried everything. Fortunately, I left with a renewed faith that we'd be able to get the condition under control. In my first appointment, she spent more than two hours with me discussing my background with this condition and creating a treatment plan. I left her office with a prescription as well as homeopathic formulas and was excited to see immediate improvement of my symptoms. *However, I believe her knowledge in creating the a [sic] long-term plan to keep the condition under control is just as valuable. I do not believe I would ever get this from another MD, and I believe that, as opposed to just a quick fix with prescriptions, is the key to truly getting and staying healthy.*

Since then, I've seen Dr. Pepel on a regular basis and she has always been more than generous with her time. She never keeps me waiting, and unlike most doctors, she does not make me feel as though we need to rush through the appointment. I feel very at ease in discussing my health with her. I have also emailed her with urgent questions on various occasions. I feel bad contacting doctors outside of appointments, but she has always been quick to reply and gracious in her responses. If everybody saw a doctor like Dr. Pepel, I think the world would be a much healthier place!

Brooklyn, NY

3 friends

25 reviews

2 photos

3/26/2009

First to Review

Dr. Pepel makes house calls at no extra charge, so, if you are initially put off by her Lake Oswego address, think again. Who ever heard of a doctor making house calls in the 21st

Century?

I initially noticed Dr. Pepel's name on my insurance's list of my in-network providers because her name is similar to mine. ***Once I read about her, I was intruiged [sic] by the fact that she is both a liscenced [sic] naturopath as well as an MD.*** It turns out that she is the most amazing doctor I have ever had. Like I said, she comes to your home for the appointments, at no more cost than a regular doctor visit (since she takes my insurance, I just pay a copay). The times that she has come to see me, she has sat and talked with me at length about my health, and really paid attention while I tell her how I am doing. It feels pretty amazing to have that much attention from a physician, and having the visits in my home has been somehow really helpful in thinking of my health as an everyday part of my life, not just a topic for clinics.

Dr. Pepel is from Romania, and has an eastern european [sic] accent and demeanor that I really appreciate. A couple of times I have asked her a question about my health, and she has just looked at me intently without answering for a minute, and then said, "I am thiiinking", [sic] and then has followed with really attentive and considered responses. You can look at her website, where she has the six steps to health, which start at 1. "do nothing", like, turn off the tv, slow down, chill out, and then range to the most extreme 6. "break and enter." (surgery, invasive exams, etc). ***It's really rare to be able to consult one doctor who can offer expertise about both mainstream western and holistic methods of healing.*** I asked her once about the house calls, and she said that in Romania, when she lived there, it was customary for doctors to make house calls, so maybe that is why she continues it here. A lucky thing for us, whatever the reason. I can't say enough good things about Dr. Pepel, she is really special.

8.

On or about February 6, 2017, Eric Brown, OMB Chief Investigator sent a letter to Dr. Pepel, at the address on file with the Board, advising her to stop using the designation MD for the safety of the public. He states in part:

"It has come to the attention of the OMB that you are using the title 'doctor,' with the suffix 'MD' in conjunction with your practice as a naturopathic doctor. The records of the OMB reflect that you are not currently, or have you ever been licensed as an 'MD' in the State of Oregon. This conduct appears to be a violation of Oregon law, specifically Oregon Revised Statutes (ORS) 676.110: Use of title 'doctor' and 677.085: What constitutes practice of medicine... You are advised that you must comply with these laws. It is suggested that you view the way you are representing yourself through the eyes of the general public. Most people, when seeing someone with the title 'doctor,' with the suffix MD will assume it is a medical doctor who is licensed in the state they practice. This is not meant to minimize your medical degree; rather the OMB would like to stress the importance of accurately portraying your credentials to the public."

9.

Dr. Pepel is not a licensed Medical Doctor in the State of Oregon. On or about February 6, 2017, OMB advised Dr. Pepel to discontinue the use of the designation of "MD," because; "Most people, when seeing someone with the title 'doctor,' with the suffix MD will assume it is a medical doctor who is licensed in the state they practice." As of December 20, 2018, Dr. Pepel uses the designation of "MD" on her website, social media and marketing webpages. Licensee also represents herself as a certified medical doctor on marketing web pages. This designation and misrepresentations have mislead the public. Per the comments on her marketing websites members of the public believed and sought out her treatment based on her misrepresentation that she is a certified medical doctor and "MD" in the State of Oregon. This conduct violates OAR 850-050-0140: Advertising; OAR 850-050-010(6) The use of any advertising in which untruthful, improper and misleading, or deceptive statements are made, and ORS 685.110(23) Violating any provision of this chapter or rules adopted by the Board.

10.

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

A. Probation: Licensee will remain on probation until completion of all terms of probation.

B. Discontinue Use of MD designation and Remove All Misrepresentations.

1. Licensee shall remove all designations of "MD" and misrepresentations that is a certified and/or is otherwise a medical doctor in the State of Oregon within 180 days of signature on this notice.
2. Licensee shall remove designations and any and all representations that she is a medical doctor from, including but not limited to, letter head, envelopes, business cards, signage, advertisements, directories, any and all printed materials.
3. Licensee shall remove all designations of "MD" and misrepresentations that she is a certified and/or otherwise a medical doctor in the State of Oregon found

on the internet, including but not limited, clinic and / or personal practice websites, social media, advertising websites, web profiles. Licensee shall have all mentions in comments, testimonials, recommendations that she is both a medical doctor and a naturopathic doctor removed from all websites. Licensee shall remove any search engine criteria that she is a medical doctor.

4. Licensee shall provide the Board proof that all Licensee has removed all designations of "MD" and misrepresentations that she certifications and is otherwise a medical doctor with-in 180 days of signature on this notice.

C. Civil Penalty: \$5,000 civil penalty imposed. \$5,000 suspended if Licensee completes all condition of probation within 180 days of signature on this notice.

11.

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.

12.

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.

13.

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.

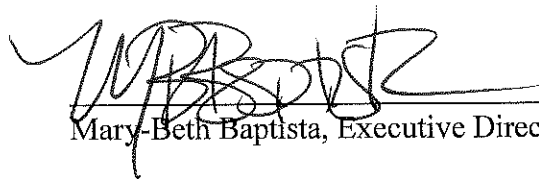
14.

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 9 day of Jan 2019.

BOARD OF NATUROPATHIC MEDICINE
State of Oregon


Mary-Beth Baptista, Executive Director