Oregon Medical Board

BOARD ACTION REPORT

January 15, 2018

The information contained in this report summarizes new, interim, and final actions taken by the Oregon Medical Board between December 16, 2017, and January 15, 2018.

Scanned copies of Interim Stipulated Orders, Orders of Emergency Suspension, Stipulated Orders, Final Orders, Termination Orders, Modification Orders and Voluntary Limitations are included at the end of this report in the order that they appear in the report. These orders are marked with an * asterisk. **Scanned copies of Consent Agreements are not posted, as they are not disciplinary action and impose no practice limitations.** Complaint and Notices of Proposed Disciplinary Action are not listed in this report, as they are not final actions by the Board. Both Orders, however, are public and are available upon request.

Printed copies of the Board Orders not provided with this report are available to the public. To obtain a printed copy of a Board Order not provided in this report, please complete the License Verification and Malpractice Report Request (http://www.oregon.gov/OMB/ombforms1/request-licensee-info-verification.pdf) found under the Forms link on the Board's web site. Submit it with the $10.00 fee per licensee and mail to:

Oregon Medical Board
1500 SW 1st Ave, Ste 620
Portland, OR 97201

Copies of the Orders listed below are mailed to Oregon hospitals where the Licensee had self-reported that he/she has privileges.

*Bergstrom, Christina Ng, MD; MD160810; Portland, OR
On January 4, 2018, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete a pre-approved course on medical documentation.

*Blitman, Maury Nelson, MD; MD169632; Corvallis, OR
On January 4, 2018, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; gross or repeated acts of negligence; and failure to report within 10 working days any official action taken against the Licensee. This Order reprimands Licensee; assesses a $5,000 civil penalty; requires the presence of a medically trained chaperone for any breast or pelvic examination of any female patient 16 years of age or older; places Licensee on probation for ten years; requires that Licensee maintain a relationship with a pre-approved healthcare provider; requires Licensee to complete a pre-approved course regarding professionalism and boundaries and develop a practice protocol for maintaining professional boundaries; and requires Licensee to comply with a protection order issued in the state of Washington.
Boespflug, Randolph Roy, MD; MD15363; Salem, OR
On January 4, 2018, the Board issued an Order Modifying Stipulated Order. This Order modifies Licensee's January 8, 2015, Stipulated Order.

Drew, Daniel Elliott, MD; MD152952; Ashland, OR
On December 18, 2017, Licensee entered into an Interim Stipulated Order to voluntarily withdraw from the management of intrathecal pain pumps within 60 days, pending the completion of the Board's investigation into his ability to safely and competently practice medicine.

Eckroth, Michelle Diane, MD; MD19737; Albany, OR
On January 10, 2018, the Board issued an Order Terminating Consent Agreement for Re-Entry to Practice. This Order terminates Licensee's July 12, 2016, Consent Agreement for Re-Entry to Clinical Practice.

Estevez, Miguel, MD; MD160337; Eugene, OR
On January 4, 2018, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; impairment; gross or repeated negligence; and violation of any board rule. This Order reprimands Licensee; assesses a $7,500 civil penalty; requires Board pre-approval of Licensee's practice settings; subjects Licensee's practice to no-notice office visits and chart audits by the Board's designee; requires Licensee to complete a pre-approved course on professionalism; restricts Licensee from dispensing any medications; limits the administration of injections; requires that Licensee maintain a therapeutic relationship with a pre-approved physician; and requires ongoing participation in a monitoring program.

Feinman, Jessica Ariel, MD; MD154687; Portland, OR
On January 4, 2018, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct. With this Order Licensee surrenders her medical license while under investigation.

Fu, Qiuling, LAc; AC00565; Eugene, OR
On January 4, 2018, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to obtain a pre-approved, licensed acupuncturist as a practice consultant who will assess Licensee's practice, provide practice recommendations, and provide written reports to the Board regarding compliance with the recommendations; no-notice office visits; and chart audits by the Board's designee.

Griffin, John William, MD; MD08392; Portland, OR
On January 4, 2018, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete courses on prescribing of controlled substances and medical chart documentation, and no-notice chart audits by the Board's designee.

Jewett, Stiles Turner, Jr., MD; MD11573; Portland, OR
On December 20, 2017, Licensee entered into a Consent Agreement for Re-Entry to Practice with the Board. In this Agreement, Licensee agreed to practice under the supervision of a pre-approved mentor for one year who will observe eight surgical procedures performed by Licensee, review and co-sign all of Licensee's charts for 60 days, and submit quarterly reports to the Board regarding Licensee's performance in the practice of medicine.
On December 27, 2017, Licensee entered into an Interim Stipulated Order to voluntarily cease the prescribing of buprenorphine/naloxone within 30 days; cease the initiation of chronic pain treatment with opioids; facilitate the transfer of chronic pain patients and patients needing medication assisted treatment; limit prescribing for acute pain; and cease prescribing benzodiazepines with opioids pending the completion of the Board's investigation into her ability to safely and competently practice medicine.

On January 10, 2018, the Board issued an Order Terminating Consent Agreement for Re-Entry to Practice. This Order terminates Licensee's September 7, 2017, Consent Agreement for Re-Entry to Practice.

On January 4, 2018, the Board issued an Order Modifying Stipulated Order. This Order modifies Licensee's October 8, 2015, Stipulated Order.

On January 4, 2018, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; impairment; and violation of the federal Controlled Substances Act. This Order precludes Licensee from engaging in the practice of anesthesiology; requires Board pre-approval of Licensee's practice settings; and requires career length participation in a monitoring program.

On January 4, 2018, the Board issued an Order Modifying Stipulated Order. This Order modifies Licensee's October 8, 2015, Stipulated Order.

On January 4, 2018, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's October 8, 2015, Corrective Action Agreement.

On January 4, 2018, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct. With this Order Licensee surrenders his acupuncture license while under investigation.

On January 9, 2017, Licensee entered into an Interim Stipulated Order to voluntarily withdraw from practice and place his license in Inactive status pending the completion of the Board's investigation into his ability to safely and competently practice medicine.

On January 4, 2018, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct based on a condition that does or might adversely affect Licensee's ability to safely and skillfully practice medicine. With this Order Licensee places his medical license at Administrative Medicine status effective December 5, 2017, and retires his license while under investigation effective March 1, 2018.
*Siddiki, Awais Asghar, MD; MD176723; Philomath, OR
On January 4, 2018, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; conduct that violated ORS 677.135 practice of medicine across state lines; gross or repeated negligence; and prescribing controlled substances without a legitimate medical purpose or without following accepted procedures for examination of patients or for record keeping. With this Order Licensee surrenders his medical license while under investigation.

*Wenber, Kenneth Fred, MD; MD14131; Heppner, OR
On January 4, 2018, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; disciplinary action by another state; and willfully violating any rule adopted by the Board or Board order or failing to comply with a Board request. This Order reprimands Licensee; assesses a $5,000 civil penalty; places Licensee on probation for five years; requires Licensee to comply with his October 7, 2016, Washington MQAC Order; requires that Licensee notify the Board of any non-compliance events or modifications of his MQAC Order; and subjects Licensee's practice to no-notice chart audits and office visits by the Board's designee.

If you have any questions regarding this service, please call the Board at (971) 673-2700 or toll-free within Oregon at (877) 254-6263.
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

CHRISTINA NG BERGSTROM, M.D.
LICENSE NO. MD160810

CORRECTIVE ACTION AGREEMENT

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the state of Oregon. Christina Ng Bergstrom, M.D. (Licensee) is a licensed physician in the state of Oregon and holds an active license.

2.

Licensee is a board certified family practice physician who practices medicine in Portland, Oregon. The Board opened an investigation into Licensee’s care and treatment of patients and her record keeping.

3.

Licensee and the Board now desire to settle this matter by entry of this agreement. Licensee understands that she has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this agreement in the Board’s records. The Board agrees to close the current investigation and does not make a finding in regard to any violation of the Medical Practice Act. This agreement is a public document; however, it is not a disciplinary action. This document is reportable to the National Data Bank and the Federation of State Medical Boards.

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Page 1 – CORRECTIVE ACTION AGREEMENT – Christina Ng Bergstrom, M.D.
4.

In order to address the concerns of the Board and for purposes of resolving this investigation, Licensee and the Board agree that the Board will close this investigation contingent upon Licensee agreeing to the following conditions:

4.1 Within six months from the signing of this Agreement by the Board Chair, Licensee must successfully complete a course on medical documentation that is pre-approved by the Board's Medical Director.

4.2 Licensee must obey all federal and Oregon State laws and regulations pertaining to the practice of medicine.

4.3 Licensee agrees that any violation of the terms of this Agreement constitutes grounds to take disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED THIS 8th day of December, 2017.

CHRISTINA NG BERGSTROM, M.D.

IT IS SO ORDERED THIS 4th day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO, JR., MD
BOARD CHAIR
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of: )
MAURY NELSON BLITMAN, MD ) STIPULATED ORDER
LICENSE NO. MD169632 )

1. The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the state of Oregon. Maury Nelson Blitman, MD (Licensee) is a licensed physician in the state of Oregon.

2. On July 5, 2017, the Board issued a Second Amended Complaint and Notice of Proposed Disciplinary Action in which the Board proposed taking disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a $10,000 fine, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a) by engaging in conduct that is contrary to recognized standards of ethics of the medical profession and conduct that does or might constitute a danger to the health or safety of a patient or the public; ORS 677.190(13) gross or repeated acts of negligence; and ORS 677.415(4) Licensee shall self-report within 10 working days any official action taken against the Licensee.

3. Licensee’s acts and conduct that violated the Medical Practice Act follow:

3.1 Licensee has engaged in a pattern of disruptive behavior in a health care setting, the Corvallis Clinic. As a relatively new member of the staff, his interactions with other health care professionals and patients violated professional ethics by undermining trust; creating an
environment that strained relationships among patients, physicians and the healthcare team; cast
his professional integrity and judgment into doubt; and caused emotional distress in others.

Specific examples include the following:

a. Licensee approached a nurse he had not previously met following a meeting (Tumor Board) at the Corvallis Clinic, and asked her using words to the effect of: “Are you single, where do you pick up men?” The nurse replied by asking: “I’m sorry, who are you?” Licensee responded that he was new to the area and was trying to meet single women and wasn’t sure where he should go. Licensee’s comments struck the nurse as being unprofessional and caused the nurse to feel very uncomfortable.

b. Licensee entered a patient care area in the Corvallis Clinic and began to talk to the attending nurses about a personal matter. A nurse informed Licensee that “we still have a patient here.” Licensee failed to acknowledge the presence of the patient, ignored the comment, and continued to talk about his personal matters.

c. Licensee made comments to a nurse (which she found unwelcome and offensive) after hearing that another nurse was getting married to include the following: “That is too bad that she is getting married soon—I really think she is great, I could really go for her.”

3.2 Patient A, an adult female, presented to Licensee on or about October 6, 2015, to discuss her diagnosis of breast cancer. After a medical assistant took Patient A to an examination room, recorded certain information and left the room, Licensee entered the room, and discussed the cancer and options available for treatment. Licensee then asked Patient A if he could see her breast. Patient A replied by asking “Now...here?” Licensee replied affirmatively and remained seated facing Patient A while she lifted her shirt and removed her bra. Licensee failed to comply with the standard of care and caused Patient A to suffer emotional distress by failing to offer a chaperone or a gown and by remaining in the room while Patient A disrobed.
3.3 Patient B, an adult female patient at the Corvallis Clinic, transferred her care to another physician, stating that Licensee had made her feel very uncomfortable by using explicit profanity during his clinical encounter with her.

3.4 On July 5, 2016, the State of Washington Medical Quality Assurance Commission (MQAC) issued a Statement of Allegations and Summary of Evidence, alleging that Licensee engaged in unprofessional conduct in Washington by entering into a romantic relationship with a female colleague, and later, after the female colleague ended the relationship, violating the terms of a private agreement that he would not contact the colleague. Licensee violated this agreement by attempting to contact the female colleague by various means, to include driving, on October 7, 2015, to the hospital where the colleague worked and attempting to contact her there. Licensee had previously agreed to notify the hospital by way of counsel if he was going to be physically present at the hospital, but failed to do so. After his arrival, Licensee was escorted from the hospital by local law enforcement. On October 7, 2016, the MQAC accepted a Stipulation to Informal Disposition (Stipulation) signed by Licensee based upon the conduct set forth in the Statement of Allegations and Summary of Evidence. This Stipulation is an informal disciplinary action that is a public document and was reported to the national databank. Licensee made the Board aware of the pending disciplinary action before the order was entered, but failed to report the entered stipulated order within ten days, in violation of ORS 677.415(4). The conduct of Licensee set forth in the Stipulation constitutes unprofessional conduct, a violation of ORS 677.190(1)(a), as defined by ORS 677.188(4)(a).

4.

Licensee and the Board desire to settle this matter by entry of this Stipulated Order. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the Board’s records. Licensee denies the allegations, but the Board finds that he engaged in the conduct described in paragraph 3 (above) and that this conduct violated ORS...
Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order subject to the following terms and conditions:

5.1 Licensee is reprimanded.

5.2 Licensee must pay a civil penalty of $5,000 within 12 months from the effective date of this Order. Licensee may make payments, as long as no payment, excepting the final payment, is less than $100.

5.3 Licensee must have a medically trained chaperone present whenever a breast or pelvic examination is being conducted with a female patient 16 years of age or older. The presence of the chaperone will be immediately documented in the patient chart. The chaperone must be medically trained and not a friend or relative of the patient or physician.

5.4 Licensee is placed on probation for 10 years. Licensee must report in person to the Board at each of its quarterly meetings at the scheduled times for a probation interview, unless otherwise directed by the Board’s Compliance Officer or its Investigative Committee. The Board’s current practice is for the Licensee to report to the Board for one quarterly visit per year with the remaining three visits being conducted by the Board’s compliance officer or other Board designee(s). The Board, at their sole discretion and through the Board’s Compliance Officer or its Investigative Committee, reserves the right to modify this current practice. In the event the Board develops protocols for conducting electronic probation interviews, interviews may be held electronically, at the Board’s discretion, between Licensee and the Board’s Compliance Officer (or its designee) using Board established protocols for the location and electronic transmission of the meeting. Licensee is responsible for supplying and maintaining the equipment and technology necessary for him to participate in the electronic meetings.
Licensee will be notified if and when such meetings are scheduled in lieu of an in person appearance at a quarterly Board meeting.

5.5 Licensee must continue in treatment with a healthcare provider pre-approved by the Board’s Medical Director. Visits with this provider must comply with the parameters outlined in the recommendation of the Acumen assessment dated August 4, 2017. The provider shall submit quarterly reports to the Board’s Medical Director. Licensee must sign, and keep in place, all necessary releases to allow full communication and exchange of documents and reports between the Board and the provider. Any provider change must be pre-approved by the Board’s Medical Director, and Licensee must secure releases as described above.

5.6 Within six months from the effective date of this order, Licensee must complete a course that has been pre-approved by the Board’s Medical Director. This course must include components related to medical ethics, disruptive behavior, professionalism and professional boundaries.

5.7 Upon completion of term 5.6, Licensee must develop a personal practice protocol for the maintenance of boundaries and professionalism as described in the Acumen assessment of August 4, 2017. This protocol must be approved by the Board’s Medical Director within three months of completion of the educational workshop.

5.8 Licensee must comply with the Order for Protection issued by the Superior Court of Washington, Thurston County, on October 21, 2015.

5.9 After two years of continued compliance with the terms of this Order, Licensee may submit a written request to modify this Order.

5.10 Terms 5.3, 5.4, and 5.5 of this Order will be held in abeyance if Licensee’s Oregon medical license is at Inactive status.

5.11 The Interim Stipulated Order dated February 13, 2017, terminates effective the date this Order is signed by the Board Chair.

5.12 Licensee stipulates and agrees that this Order becomes effective the date it is signed by the Board Chair.
5.13 Licensee must obey all federal and Oregon state laws and regulations pertaining to the practice of medicine.

5.14 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED THIS 12th day of December 2017.

MAURY NELSON BLITMAN, MD

IT IS SO ORDERED THIS 4th day of January 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO, JR., MD
BOARD CHAIR
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

RANDOLPH ROY BOESPFLUG, MD
LICENSE NO. MD15363

ORDER MODIFYING STIPULATED ORDER

1.

On January 8, 2015, Randolph Roy Boespflug, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed Licensee on probation with certain conditions. On December 10, 2017, Licensee submitted a written request asking the Board to terminate the Stipulated Order. Terms 4.1, 4.2, and 4.3 read:

4.1 Licensee is reprimanded.

4.2 Licensee must pay a civil penalty of $3,000. Licensee may make payments of no less than $250 at intervals of his choosing with the final payment being made no later than 180 days from the signing of this Order by the Board Chair.

4.3 Within 180 days from the signing of this Order by the Board Chair, Licensee must successfully complete a course on medical documentation and a course on opiate prescribing that are pre-approved by the Board's Medical Director.

2.

Having fully considered Licensee's request and compliance with these terms, the Board terminates terms 4.1, 4.2, and 4.3 of the January 8, 2015, Stipulated Order effective the date this
Order is signed by the Board Chair. All other terms of the January 8, 2015, Stipulated Order are unchanged and remain in full force and effect.

IT IS SO ORDERED this 4th day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL J. MASTRANGELO, JR, MD
Board Chair
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

DANIEL ELLIOTT DREW, MD
LICENSE NO. MD152952

1. The Oregon Medical Board (Board) is the state agency responsible for licensing,
regulating and disciplining certain health care providers, including physicians, in the state of
Oregon. Daniel Elliott Drew, MD (Licensee) is a licensed physician in the state of Oregon and
holds an active medical license.

2. The Board received credible information regarding Licensee that resulted in the Board
initiating an investigation. On July 6, 2016, Licensee entered into an Interim Stipulated Order
with the Board which placed restrictions on his prescribing for chronic pain patients. The results
of the Board's investigation to date have raised additional concerns to the extent that the Board
believes it necessary that Licensee now agree to additional terms until the investigation is
completed.

3. In order to address the Board's concerns, Licensee and the Board agree to the entry of
this Interim Stipulated Order, which is not an admission of any wrongdoing on the part of the
Licensee, and will remain in effect while this matter remains under investigation, and provides
that Licensee shall comply with the following conditions:

3.1 Licensee must not manage any patients with intrathecal pain pumps. This term is
effective 60 days from the date Licensee signs this Order. During this 60 day period, Licensee
must facilitate the transfer of patients with intrathecal pain pumps to another provider.
3.2 Licensee understands that violating any term of this Order will be grounds for disciplinary action under ORS 677.190(17).

3.3 Licensee understands this Order becomes effective the date he signs it.

4.

At the conclusion of the Board's investigation, the Board will decide whether to close the case or to proceed to some form of disciplinary action. If the Board determines, following that review, not to lift the requirements of this Order, Licensee may request a hearing to contest that decision.

5.

This order is issued by the Board pursuant to ORS 677.410, which grants the Board the authority to attach conditions to the license of Licensee to practice medicine. These conditions will remain in effect while the Board conducts a complete investigation in order to fully inform itself with respect to the conduct of Licensee. Pursuant to ORS 677.425, Board investigative materials are confidential and shall not be subject to public disclosure, nor shall they be admissible as evidence in any judicial proceeding. However, as a stipulation this Order is a public document and is reportable to the National Databank and the Federation of State Medical Boards.

IT IS SO STIPULATED THIS 21st day of December, 2017.

DANIEL ELLIOTT DREW, MD

IT IS SO ORDERED THIS 20th day of December, 2017.

OREGON MEDICAL BOARD
State of Oregon

KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of: )
MIGUEL ESTEVEZ, MD ) STIPULATED ORDER
LICENSE NO. MD160337 )

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the state of Oregon. Miguel Estevez, MD (Licensee), is a licensed physician in the state of Oregon.

2.

On October 26, 2017, the Board issued a Complaint and Notice of Proposed Disciplinary Action in which the Board proposed taking disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a $10,000 civil penalty per violation, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(7) impairment; ORS 677.190(13) gross or repeated negligence; and ORS 677.190(17) violation of any provision of this chapter or any board rule.

3.

Licensee is a board certified neurologist practicing in Springfield, Oregon. Licensee’s acts and conduct that violated the Medical Practice Act follow:

3.1 Patient A, a 47-year-old female patient with a health history that included chronic back and neck pain, was referred to Licensee for migraine headaches in July 2013. Licensee performed a comprehensive examination and concluded that the patient suffered from chronic migraines and cervicalgia. Patient A returned to the clinic on September 5, 2013, and reported an urticarial allergic reaction to topiramate (Topamax) and that her headaches had increased in
severity, particularly over the back of the head. Licensee recommended an occipital nerve block.

After discussing the procedure with Patient A, Licensee reports that he administered two
injections of bupivacaine combined with ketorolac (Toradol), methylprednisolone, and
meperidine (Demerol, Schedule II) at the C3-4 and C6-7 level. Two to three minutes after the
injections, Patient A reported shortness of breath, exhibited raspy breath sounds, paced the room
and was aggravated. Licensee departed the room to obtain oxygen, leaving Patient A
unattended. 1 Licensee reports that he returned to the room, asked Patient A to lie down and try
to relax. Licensee left the room, leaving Patient A with her companion, and resumed his search
for a crash cart and oxygen. Licensee located oxygen, and returned to the room to find Patient A
unconscious and not breathing. Licensee initiated CPR 2 and asked Patient A’s companion to
notify clinic staff to call EMS. 3 Portable defibrillator pads were placed on Patient A and electric
shocks to the chest were administered. CPR resumed and Patient A was subsequently transferred
by ambulance to the hospital. Patient A was determined to have sustained a severe anoxic brain
injury. She died several days later. An autopsy was performed. The cause of death was listed as
anoxic encephalopathy due to cardiopulmonary arrest due to adverse reaction to intramuscular
medication injection. Licensee breached the standard of care and exposed this patient
unnecessarily to the risk of harm by administering a trigger point injection into Patient A that
included Demerol, and then leaving Patient A in distress unattended by medical personnel on at
least two occasions while he looked for a crash cart and oxygen. This conduct violates ORS
677.190(1)(a), as defined in ORS 677.188(4)(a); and ORS 677.190(13).

3.2 Patient B, a 24-year-old female patient, was referred to Licensee for treatment of
her chronic headaches on April 23, 2013. Licensee performed a comprehensive consultation and
neurological examination. Patient B was admitted to Sacred Heart Hospital on May 4, 2013, and
her complaint of headaches was treated with IV lidocaine and steroids. She was discharged on

1 Licensee reports that Patient A was accompanied by an adult companion who remained with her during treatment,
but there was no clinic employee in the room when Licensee left to get oxygen.
2 Cardiopulmonary resuscitation.
3 Emergency medical service.
May 7, 2013. Patient B was readmitted to the hospital on June 5, 2013, with severe headaches accompanied by nausea and vomiting. The patient was initially treated with IV ketamine (Schedule III) and IV hydration. Patient B responded favorably, but her headaches resumed when the ketamine drip was discontinued. Licensee subsequently went to his private clinic, where he obtained, transported to the hospital and subsequently administered to Patient B an injection of hydromorphone (Dilaudid, Schedule II) 2mg with methylprednisolone 40 mg without informing the nursing staff or making a contemporaneous note in the chart. When a nurse questioned Licensee, Licensee admitted that he had administered an injection of Dilaudid. The discharge summary that Licensee dictated one week later stated that the injection was given into the deltoid. By failing to promptly inform nursing staff that he had injected an opioid into Patient B, and failing to properly document the injection in the patient record, Licensee breached the standard of care and subjected Patient B to the risk of harm, a violation of ORS 677.190(1)(a), as defined in ORS 677.188(4)(a).

3.3 On at least four occasions in May of 2016 at about 6:00 AM, Licensee went into the medication supply room of the private clinic where he practiced in Springfield, Oregon, accessed the supply of ketamine without prior authorization or proper medical purpose, and took the ketamine into his personal possession. Licensee later self-injected himself with ketamine and also injected some of the ketamine into tubes of over-the-counter Aspercream. Licensee then dispensed the tubes of Aspercream that he had injected with ketamine to some of his patients for the topical treatment of pain. Licensee’s conduct breached the standard of care and violated OAR 847-015-0025(1) and (4), by dispensing medications without being registered as a dispensing physician, and failing to document the dispensing of drugs in the patient record. Licensee also failed to keep records of the controlled substance (ketamine) that he dispensed to his patients, in violation of the Federal Controlled Substances Act and 21 CFR 1304.03.

3.4 Licensee is an impaired physician, as evidenced by his persistent non-medical use of cannabis vapor oil and repeated self-injections of ketamine in 2015 and 2016, in violation of ORS 677.190(7).
Licensee and the Board desire to settle this matter by entry of this Stipulated Order.

Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the Board’s records. Licensee admits that he engaged in the conduct described in paragraph 3 above and that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(7) impairment; ORS 677.190(13) gross or repeated negligence; and ORS 677.190(17) violation of any provision of this chapter or any board rule. Licensee understands that this Order is a public record and is a disciplinary action that is reportable to the National Data Bank and the Federation of State Medical Boards.

Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order subject to the following terms and conditions:

5.1 Licensee is reprimanded.

5.2 Licensee must pay a civil penalty of $7,500 within 18 months of the effective date of this Order. Licensee may make payments, as long as no payment, excepting the final payment, is less than $100.

5.3 Licensee may only practice at sites that are pre-approved by the Board’s Medical Director.

5.4 Licensee and his practice are subject to no notice office visits and chart audits conducted by the Board’s designee.

5.5 Licensee must complete a course on professionalism that is pre-approved by the Board’s Medical Director within 180 days from the effective date of this Order.

5.6 Licensee is **not** approved to dispense any medication to patients.
5.7 Licensee (and any physician assistant, nurse, medical assistant, etc. associated with him) may not administer any injections to patients with the exception of: vaccines and antibiotics administered by intramuscular injection; Ketoraloc; depomedrol; botulinum toxin injection protocols for chronic headache; and intramuscular injections of anti-calcitonin gene related peptide antibody.

5.8 Licensee must remain in a therapeutic relationship with a physician that is pre-approved by the Board’s Medical Director. Licensee must meet with this physician on an ongoing basis, and that physician must provide quarterly written reports to the Board. Licensee agrees that he will sign all necessary releases to allow for unrestricted communication between this physician and his staff with the Board.

5.9 Licensee must remain enrolled and fully compliant with the Health Professionals’ Services Program (HPSP).

5.10 The Interim Stipulated Order of May 26, 2016, terminates effective the date this Stipulated Order is signed by the Board Chair.

5.11 Licensee stipulates and agrees that this Order becomes effective the date it is signed by the Board Chair.

5.12 Licensee must obey all federal and Oregon state laws and regulations pertaining to the practice of medicine.
5.13 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED THIS 19 day of December, 2017.

MIGUEL ESTEVEZ, MD

IT IS SO ORDERED THIS 4th day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO, JR., MD
BOARD CHAIR
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of
JESSICA ARIEL FEINMAN, MD
LICENSE NO. MD154687

STIPULATED ORDER

1. The Oregon Medical Board (Board) is the state agency responsible for licensing,
regulating and disciplining certain health care providers, including physicians, in the State of
Oregon. Jessica Ariel Feinman, MD (Licensee) is a licensed physician (lapsed) in the State of
Oregon.

2. On May 8, 2017, the Board opened an investigation after receiving credible information
regarding Licensee's possible boundary violations which would constitute a violation of the
Medical Practice Act.

3. Licensee and the Board desire to settle this matter by the entry of this Stipulated Order.
Licensee understands that she has the right to a contested case hearing under the Administrative
Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a
contested case hearing and any appeal therefrom by the signing of this Order in the Board's
records. Licensee neither admits nor denies, but the Board finds that Licensee engaged in
conduct that violated the Medical Practice Act, to wit: ORS 677.190(1)(a), unprofessional or
dishonorable conduct, as defined in ORS 677.188(4)(a). Licensee understands that this Order is
a public record and is a disciplinary action that is reportable to the DataBank and the Federation
of State Medical Boards.

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Page 1 -STIPULATED ORDER -- Jessica Ariel Feinman, MD
Licensee and the Board agree that the Board will close this investigation and resolve this matter by entry of this Stipulated Order, subject to the following conditions:

4.1 Licensee surrenders her Oregon medical license while under investigation.

4.2 Licensee must obey all Federal and Oregon State laws and regulations pertaining to the practice of medicine.

4.3 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

5.

This Order becomes effective the date it is signed by the Board Chair.

IT IS SO STIPULATED this 20th day of November 2017.

JESSICA ARIEL FEINMAN, M.D.

IT IS SO ORDERED this 4th day of January 2018.

OREGON MEDICAL BOARD

MICHAEL J. MASTRANGELO, JR, M.D
Board Chair
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of
)
)
QIULING FU, LAc ) CORRECTIVE ACTION AGREEMENT
LICENSE NO. AC00565 )

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing,
regulating and disciplining physicians and certain other health care providers to include
acupuncturists in the State of Oregon. Qiuling Fu, LAc (Licensee) is a licensed acupuncturist in
the State of Oregon.

2.

Licensee practices at the Chinese Acupuncture Clinic in Eugene, Oregon. The Board
opened an investigation after receiving a complaint in regard to Licensee’s practice.

3.

Licensee and the Board now desire to settle this matter by entry of this agreement.
Licensee understands that she has the right to a contested case hearing under the Administrative
Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the
right to a contested case hearing and any appeal therefrom by the signing of and entry of this
agreement in the Board’s records. The Board agrees to close the current investigation and does
not make a finding in regard to any violation of the Medical Practice Act. This agreement is a
public document; however, it is not a disciplinary action. This document is reportable to the
National Data Bank and the National Certification Commission for Acupuncture and Oriental
Medicine.

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In order to address the concerns of the Board and for purposes of resolving this investigation, Licensee and the Board agree that the Board will close this investigation contingent upon Licensee agreeing to the following conditions:

4.1 At her own expense, Licensee must obtain a practice consultant who is an Oregon licensed acupuncturist who has been approved in advance by the Board’s Medical Director. Licensee and the practice consultant must meet for an initial assessment of Licensee’s practice. This assessment must occur within four months of the effective date of this Agreement. The practice consultant will provide a written report to Licensee and the Board regarding any recommendations in regard to Licensee’s practice.

4.2 The practice consultant will conduct follow up visits to Licensee’s practice after six months and nine months from the date of the initial assessment. The practice consultant will submit written reports to the Board subsequent to each of these visits regarding Licensee’s compliance with the practice recommendations.

4.3 After the completion of term 4.2 of this Agreement, Licensee may submit a written request to the Board, with a recommendation from her practice consultant, to terminate or modify the terms of the Agreement.

4.3 Licensee and her practice are subject to no notice office visits and chart audits conducted by the Board’s designee.

4.4 Licensee agrees that this Agreement becomes effective the date it is signed by the Board Chair.

4.5 Licensee must obey all federal and Oregon State laws and regulations pertaining to the practice of medicine.

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Page 2 – CORRECTIVE ACTION AGREEMENT – Qiuling Fu, L.Ac
4.6 Licensee agrees that any violation of the terms of this Agreement constitutes grounds to take disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED THIS 19 day of December, 2017.

QIULING FU, LAc

IT IS SO ORDERED THIS 4th day of , 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO, JR., MD
BOARD CHAIR
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of )
JOHN WILLIAM GRIFFIN, M.D. ) CORRECTIVE ACTION AGREEMENT
LICENSE NO. MD08392 )

1. The Oregon Medical Board (Board) is the state agency responsible for licensing,
regulating and disciplining certain health care providers, including physicians, in the state of
Oregon. John William Griffin, M.D. (Licensee) is a licensed physician in the state of Oregon
and holds an active license.

2. Licensee is a board certified internist practicing in Portland, Oregon. The Board opened
an investigation after receiving a complaint in regard to Licensee's manner of prescribing
controlled substances for a patient.

3. Licensee and the Board now desire to settle this matter by entry of this agreement.
Licensee understands that he has the right to a contested case hearing under the Administrative
Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the
right to a contested case hearing and any appeal therefrom by the signing of and entry of this
agreement in the Board's records. The Board agrees to close the current investigation and does
not make a finding in regard to any violation of the Medical Practice Act. This agreement is a
public document; however, it is not a disciplinary action. This document is reportable to the
National Data Bank and the Federation of State Medical Boards.
In order to address the concerns of the Board and for purposes of resolving this investigation, Licensee and the Board agree that the Board will close this investigation contingent upon Licensee agreeing to the following conditions:

4.1 Within 120 days from the signing of this Agreement by the Board Chair, Licensee must successfully complete a course on prescribing of controlled substances and a course on medical chart documentation. These courses may not be used by Licensee to satisfy his continuing medical education requirements.

4.2 Licensee is subject to no-notice chart audits at his own expense, conducted by the Board’s designee.

4.3 Upon receipt of written verification that Licensee has complied with term 4.1 (above), the Medical Director may authorized the termination of the Interim Stipulated Order of September 19, 2017. Licensee will be notified in writing when and if such termination occurs.

4.4 Licensee must obey all federal and Oregon State laws and regulations pertaining to the practice of medicine.

4.5 Licensee agrees that any violation of the terms of this Agreement constitutes grounds to take disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED THIS 7 day of October, 2017.

JOHN WILLIAM GRIFFIN, MD

IT IS SO ORDERED THIS 4th day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO, JR., MD
BOARD CHAIR
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of
LISA CAMILLE JOYNER, MD
LICENSE NO. MD21092

INTERIM STIPULATED ORDER

1. The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the state of Oregon. Lisa Camille Joyner, MD (Licensee) is a licensed physician in the state of Oregon and holds an active medical license.

2. The Board received credible information regarding Licensee that resulted in the Board initiating an investigation. The results of the Board’s investigation to date have raised concerns to the extent that the Board believes it necessary that Licensee agree to certain terms until the investigation is completed.

3. In order to address the Board’s concerns, Licensee and the Board agree to the entry of this Interim Stipulated Order, which is not an admission of any wrongdoing on the part of the Licensee, and will remain in effect while this matter remains under investigation, and provides that Licensee shall comply with the following conditions:

3.1 Within 30 days of the effective date of this Order, Licensee must cease prescribing buprenorphine/naltrexone (Suboxone) to all patients, and facilitate the transfer of any patient to whom Licensee is presently prescribing Suboxone to a provider who is able to prescribe Suboxone.
3.2 Licensee must immediately cease accepting patients needing Medication Assisted Treatment.

3.3 Licensee must not begin treatment for chronic pain with opioids for any new or existing patient. For the purposes of this Order, chronic pain is defined as pain that persists or progresses over a period of time greater than 30 days.

3.4 Within 60 days of the effective date of this Order, Licensee must facilitate the transfer of patients for whom Licensee is prescribing opioids for chronic pain.

3.5 Licensee may treat acute or intermittent pain, with short acting opiates for no more than 30 days per patient in a calendar year and not to exceed 50 morphine equivalent dose (MED) per day.

3.6 Within 60 days of the effective date of this Order, Licensee must cease concomitantly prescribing opioids with benzodiazepines.

3.7 Licensee understands that violating any term of this Order will be grounds for disciplinary action under ORS 677.190(17).

3.8 Licensee understands that this Order becomes effective the date she signs it.

4. At the conclusion of the Board’s investigation, the Board will decide whether to close the case or to proceed to some form of disciplinary action. If the Board determines, following that review, not to lift the requirements of this Order, Licensee may request a hearing to contest that decision.

5. This order is issued by the Board pursuant to ORS 677.410, which grants the Board the authority to attach conditions to the license of Licensee to practice medicine. These conditions will remain in effect while the Board conducts a complete investigation in order to fully inform itself with respect to the conduct of Licensee. Pursuant to ORS 677.425, Board investigative materials are confidential and shall not be subject to public disclosure, nor shall they be admissible.
as evidence in any judicial proceeding. However, as a stipulation this Order is a public document and is reportable to the National Databank and the Federation of State Medical Boards.

IT IS SO STIPULATED THIS 27 day of December, 2017.

LISA CAMILLE JOYNER, MD

IT IS SO ORDERED THIS 2nd day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of
PATRICK YUK-HOI LEE, MD
LICENSE NO. MD16880

ORDER MODIFYING STIPULATED ORDER

1.

On October 8, 2015, Patrick Yuk-Hoi Lee, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed certain conditions on Licensee’s medical license. On October 26, 2017, Licensee submitted a written request asking the Board to terminate the Stipulated Order. Terms 5.1, 5.2, and 5.7 read:

5.1 Licensee is reprimanded.

5.2 Licensee must pay a civil penalty of $5,000, payable in full within 90 days from the signing of this Order by the Board Chair.

5.7 Within nine months from the effective date of this Order, Licensee must complete a patient communications course pre-approved by the Board’s Medical Director.

2.

Having fully considered Licensee’s request and compliance with these terms, the Board terminates terms 5.1, 5.2, and 5.7 of the October 8, 2015, Stipulated Order effective the date this Order is signed by the Board Chair. All other terms of the October 8, 2015, Stipulated Order are unchanged and remain in full force and effect.

IT IS SO ORDERED this 4th day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MA STRANGELO, MD
Board Chair
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of
KENT FORREST MECKLING, MD
LICENSE NO. MD24567

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the state of Oregon. Kent Forrest Meckling, MD (Licensee) is a licensed physician in the state of Oregon.

2.

On September 9, 2016, Licensee entered into an Interim Stipulated Order with the Board in which he voluntarily withdrew from the practice of medicine, pending the conclusion of matters before the Board. On October 9, 2017, the Board issued a Complaint and Notice of Proposed Disciplinary Action in which the Board proposed taking disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a $10,000 civil penalty per violation, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit:

ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a);
ORS 677.190(7) impairment, as defined in ORS 676.303; and ORS 677.190 (23) violation of the federal Controlled Substances Act.

3.

Licensee and the Board desire to settle this matter by entry of this Stipulated Order.

Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of, and entry of, this
Order in the Board’s records. Licensee neither admits or denies but the Board finds that he
engaged in the conduct as described in the aforementioned Complaint and Notice of Proposed
Disciplinary Action and that this conduct violated ORS 677.190(1)(a) as defined in ORS
677.188(4)(a); ORS 677.190(7), as defined in ORS 676.303; and ORS 677.190 (23). Licensee
understands that this Order is a public record and is a disciplinary action that is reportable to the
National Data Bank and the Federation of State Medical Boards.

4.

Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order
subject to the following terms and conditions:

4.1 Licensee must not engage in the practice of anesthesiology in any fashion.

4.2 Licensee may only practice in a practice setting that has been pre-approved by the
Board’s Medical Director.

4.3 Licensee must remain enrolled and in good standing in the Health Professional’s
Services Program for the duration of his medical career.

4.4 The Interim Stipulated Order of September 9, 2016, terminates effective the date
this Stipulated Order is signed by the Board Chair.

4.5 Licensee stipulates and agrees that this Order becomes effective the date it is
signed by the Board Chair.

4.6 Licensee must obey all federal and Oregon state laws and regulations pertaining
to the practice of medicine.
4.7 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED THIS 12th day of December, 2017.

KENT FORREST MECKLING, MD

IT IS SO ORDERED THIS ___ day of _____, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO, JR., MD
BOARD CHAIR
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

SCOTT MICHAEL MURRAY, MD
LICENSE NO. MD15084

ORDER MODIFYING
STIPULATED ORDER

1.

On October 8, 2015, Scott Michael Murray, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed Licensee on probation with certain conditions. On July 13, 2017, the Board issued an Order Modifying Stipulated Order which modified term 4.11 of the Stipulated Order. On September 26, 2017, Licensee submitted a written request asking the Board to terminate Term 4.9 of this Order, which reads:

4.9 Licensee must undergo testing on a semi-annual basis by a person that is pre-approved by the Board's Medical Director and coordinated through the Board's compliance officer. Licensee will sign releases to allow full communication and exchange of documents and reports between the Board and the testing entity.

2.

Having fully considered Licensee's request, the Board modifies Term 4.9 of the October 8, 2015, Stipulated Order as follows:

4.9 Licensee must undergo testing on an annual basis by a person that is pre-approved by the Board's Medical Director and coordinated through the Board's compliance officer. Licensee will sign releases to allow full communication and exchange of documents and reports between the Board and the testing entity.
This modification becomes effective the date this Order Modifying Stipulated Order is signed by the Board Chair. All other terms of the October 8, 2015, Stipulated Order and July 13, 2017, Order Modifying Stipulated Order are unchanged and remain in full force and effect.

IT IS SO ORDERED this 4th day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO, JR, MD
Board Chair
BEFORE THE
OREGON MEDICAL BOARD

STATE OF OREGON

In the Matter of

TRAVIS LEE PAGE DO
LICENSE NO. DO26755

ORDER TERMINATING
CORRECTIVE ACTION AGREEMENT

1.

On October 8, 2015, Travis Lee Page, DO (Licensee) entered into a Corrective Action Agreement with the Oregon Medical Board (Board). This Agreement placed conditions on Licensee’s Oregon license. On October 13, 2017, Licensee submitted documentation that he has successfully completed all terms of this Agreement and requested that this Agreement be terminated.

2.

The Board has reviewed the documentation submitted by Licensee and has determined that Licensee has successfully complied with all of the terms of this Agreement. The Board terminates the October 8, 2015, Corrective Action Agreement, effective the date this Order is signed by the Board Chair.

IT IS SO ORDERED this 4th day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO, JR, MD
Board Chair
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

GUY DOMINIC PRIANO, LAC
LICENSE NO. AC00195

STIPULATED ORDER

1.
The Oregon Medical Board (Board) is the state agency responsible for licensing,
regulating and disciplining certain health care providers, including acupuncturists in the State of
Oregon. Guy Dominic Priano, LAc (Licensee) is a licensed acupuncturist in the State of Oregon.

2.
On June 30, 2016, the Board opened an investigation after receiving credible information
regarding Licensee’s felony arrest.

3.
Licensee and the Board desire to settle this matter by the entry of this Stipulated Order.
Licensee understands that he has the right to a contested case hearing under the Administrative
Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a
contested case hearing and any appeal therefrom by the signing of this Order in the Board’s
records. Licensee neither admits nor denies, but the Board finds that Licensee engaged in
conduct that violated the Medical Practice Act, to wit: ORS 677.190(1)(a), unprofessional or
dishonorable conduct, as defined in ORS 677.188(4)(a). Licensee understands that this Order is
a public record and is a disciplinary action that is reportable to the DataBank and the National
Certification Commission for Acupuncture and Oriental Medicine.

4.
Licensee and the Board agree that the Board will close this investigation and resolve this
matter by entry of this Stipulated Order, subject to the following conditions:
4.1 Licensee surrenders his Oregon acupuncture license while under investigation.

4.2 Licensee must obey all Federal and Oregon State laws and regulations pertaining to the practice of acupuncture.

4.3 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

5. This Order becomes effective the date it is signed by the Board Chair.

IT IS SO STIPULATED this 28th day of August, 2017.

GUY DOMINIC PRIANO, LAC

IT IS SO ORDERED this _______ day of ________, 2018.

OREGON MEDICAL BOARD

MICHAEL J. MASTRANGELO, JR, MD
Board Chair
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

NEAL JAMES RENDLEMAN, MD
LICENSE NO. MD13206

INTERIM STIPULATED ORDER

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain healthcare providers, including physicians, in the State of Oregon. Neal James Rendleman, MD (Licensee) is a licensed physician in the State of Oregon.

2.

The Board received credible information regarding Licensee that resulted in the Board initiating an investigation. The results of the Board’s investigation to date have raised concerns to the extent that the Board believes it necessary that Licensee agree to cease the practice of medicine until the investigation is completed.

3.

In order to address the concerns of the Board, Licensee and the Board agree to enter into this Interim Stipulated Order, which is not an admission of any wrongdoing on the part of the Licensee, and provides that Licensee shall comply with the following conditions effective the date this Order is signed by Licensee:

3.1 Licensee voluntarily withdraws from the practice of medicine and his license is placed in Inactive status pending the completion of the Board’s investigation into his ability to safely and competently practice medicine.

3.2 Licensee understands that violating any term of this Order will be grounds for disciplinary action under ORS 677.190(17).

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3.3 Licensee must notify the Oregon Medical Board within 10 days as to how patients may access or obtain their medical records.

4. At the conclusion of the Board’s investigation, Licensee’s status will be reviewed in an expeditious manner. Following that review, if the Board determines that Licensee shall not be permitted to return to the practice of medicine, Licensee may request a hearing to contest that decision.

5. This Order is issued by the Board pursuant to ORS 677.265(1) and (2) for the purpose of protecting the public, and making a complete investigation in order to fully inform itself with respect to the performance or conduct of the Licensee and Licensee’s ability to safely and competently practice medicine. Pursuant to ORS 677.425, Board investigative materials are confidential and shall not be subject to public disclosure. However, as a stipulation this Order is a public document and is reportable to the national Data Bank and the Federation of State Medical Boards.

6. This Order becomes effective the date it is signed by the Licensee.

IT IS SO STIPULATED THIS 9th day of January, 2018.

IT IS SO ORDERED THIS 9th day of January, 2018.

State of Oregon
OREGON MEDICAL BOARD

KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR

Page -2 INTERIM STIPULATED ORDER – Neal James Rendleman, MD
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

WILLIAM MICHAEL RYAN, MD
LICENSE NO. MD16725

STIPULATED ORDER

1. The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the State of Oregon. William Michael Ryan, MD (Licensee) is a licensed physician in the State of Oregon.

2. On June 30, 2016, the Board opened an investigation after receiving credible information regarding a possible health condition that potentially impacted Licensee's medical practice. On May 16, 2017, Licensee entered into an Interim Stipulated Order with the Board in which he agreed to limitations of his prescribing for chronic pain.

3. Due to Licensee's health condition, Licensee desires to settle these matters with the Board, and the Board agrees, by the entry of this Stipulated Order. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the Board's records.

Licensee neither admits nor denies, but the Board finds that Licensee engaged in conduct that violated the Medical Practice Act, to wit: ORS 677.190(1)(a), as defined in ORS 677.188(4)(a) any condition which does or might adversely affect a physician's ability to safely and skillfully practice medicine. Licensee understands that this Order is a public record and is a disciplinary action that is reportable to the DataBank and the Federation of State Medical Boards.
4.
Licensee and the Board agree that the Board will close this investigation and resolve this matter by entry of this Stipulated Order, subject to the following conditions:

4.1 Licensee’s medical license will be placed at Administrative Medicine status effective December 5, 2017. This term is effective the date Licensee signs this Order.

4.2 Licensee retires his Oregon medical license while under investigation, effective March 1, 2018.

4.3 The Interim Stipulated Order of May 16, 2017, terminates effective the date the Board Chair signs this Order.

4.4 Licensee must obey all Federal and Oregon State laws and regulations pertaining to the practice of medicine.

4.5 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

5.
This Order becomes effective the date it is signed by the Board Chair, with the exception of term 4.1 which is effective the date the Licensee signs this Order.

IT IS SO STIPULATED this day of December, 2017.

WILLIAM MICHAEL RYAN, MD

IT IS SO ORDERED this day of February, 2018.

OREGON MEDICAL BOARD

MICHAEL J. MASTRANGELO, JR, MD Board Chair
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

AWAIS ASGHAR SIDDIKI, MD
LICENSE NO. MD176723

STIPULATED ORDER

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the State of Oregon. Awais Asghar Siddiki, MD (Licensee) is a licensed physician in the State of Oregon.

2.

On May 15, 2017, the Board opened an investigation after receiving credible information regarding Licensee’s treatment of Oregon patients with substance use disorder from a location outside of Oregon. On October 10, 2017, Licensee entered into an Interim Stipulated Order with the Board in which he agreed to treat Oregon patients only when the patient and Licensee were physically present together in a clinical setting in Oregon.

3.

Licensee and the Board desire to settle this matter by the entry of this Stipulated Order.

Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the Board’s records. Licensee neither admits nor denies, but the Board finds that Licensee engaged in conduct that violated the Medical Practice Act, to wit: ORS 677.190(1)(a), unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.135 practice of medicine across state lines; ORS 677.190(13) gross or repeated negligence in the practice of medicine; and ORS 677.190(24) prescribing controlled substances without a legitimate medical purpose, or
prescribing controlled substances without following accepted procedures for examination of
patients, or prescribing controlled substances without following accepted procedures for record
keeping. Licensee understands that this Order is a public record and is a disciplinary action that
is reportable to the DataBank and the Federation of State Medical Boards.

4.

Licensee and the Board agree that the Board will close this investigation and resolve this
matter by entry of this Stipulated Order, subject to the following conditions:

4.1 Licensee surrenders his Oregon medical license while under investigation.

4.2 The Interim Stipulated Order of October 10, 2017, terminates effective the date
this Stipulated Order is signed by the Board Chair.

4.3 Licensee must obey all Federal and Oregon State laws and regulations pertaining
to the practice of medicine.

4.4 Licensee stipulates and agrees that any violation of the terms of this Order shall
be grounds for further disciplinary action under ORS 677.190(17).

5.

This Order becomes effective the date it is signed by the Board Chair.

IT IS SO STIPULATED this 16th day of December 2017.

AWAIS ASGHAR SIDDIKI, MD

IT IS SO ORDERED this 4th day of January 2018.

OREGON MEDICAL BOARD

MICHAEL J. MASTRANGELO, JR, MD
Board Chair
BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of:

KENNETH FRED WENBERG, MD
LICENSE NO. MD14131

STIPULATED ORDER

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the state of Oregon. Kenneth Fred Wenberg, MD (Licensee) is a licensed physician in the state of Oregon.

2.

On May 15, 2017, the Board issued a Complaint and Notice of Proposed Disciplinary Action [Notice] in which the Board proposed taking disciplinary action against Licensee by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a $10,000 civil penalty, and assessment of costs, against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(15) disciplinary action by another state; and ORS 677.190(17) willfully violating any rule adopted by the Board or Board order, or failing to comply with a Board request pursuant to ORS 677.320.

3.

Licensee also holds a license to practice medicine in the state of Washington. Licensee’s acts and conduct that violated the Medical Practice Act follow:

3.1 Licensee has an extensive record of disciplinary action with the Washington Medical Quality Assurance Commission (MQAC), in violation of ORS 677.190(15), which he failed to timely report to the Board as required by board rule, in violation of ORS 677.190(17). On June 3, 2010, MQAC approved a final order with the caption “Stipulated Findings of Fact,
Conclusions of Law, and Agreed Order” that was signed by Licensee. In this Agreed Order, MQAC placed Licensee on probation and imposed a fine. The terms of probation included two years of compliance monitoring and required Licensee to complete some specific continuing education courses. Licensee subsequently underwent an investigation in Oregon, and signed a Stipulated Order that this Board approved on June 2, 2011, which imposed terms of probation, to include a requirement that he fully comply with the Washington Agreed Order and that he notify this Board “if MQAC finds that he is out of compliance with the Washington Agreed Order, or modifies the Agreed Order in any way.” On November 1, 2012, Licensee participated in a contested hearing in Washington where he faced allegations of unprofessional conduct by failing to comply with the terms of probation, as set forth in the Agreed Order. On December 11, 2012, MQAC issued Findings of Fact, Conclusions of Law and Final Order, which superseded the 2010 Agreed Order, and found that Licensee had engaged in unprofessional conduct and that Licensee must remain in probationary status and comply with certain conditions, to include a requirement to provide notice of his ongoing employment and to “cause the Medical Officer responsible for clinical supervision to submit quarterly performance evaluation reports directly to the Commission.” Licensee failed to timely report the 2012 Final Order to the Board, in violation of ORS 677.190(1)(a), as defined in ORS 677.188(4)(a); and OAR 847-010-0073(1)(a), which requires licensees to self-report any official action taken against the licensee within 10 business days; and violated the terms of the Board’s Stipulated Order of 2011, in violation of ORS 677.190(17).

3.2 In a letter dated December 17, 2015, that was addressed to Licensee, MQAC informed Licensee that it had not received a required declaration and performance evaluations from two physicians and that Licensee was “out of compliance” and had failed to comply with the reporting requirements of the 2012 Final Order. Licensee disputes having received this letter prior to submitting his renewal application, however, he acknowledges having received multiple communications regarding issues related to his compliance with the 2012 Final Order prior to submitting his renewal application. Licensee failed to inform this Board that he had received any
of these communications regarding his compliance with the 2012 Final Order. This failure violated ORS 677.190(1)(a), as defined in ORS 677.188(4)(a); as well as OAR 847-010-0073(1) which requires licensees to self-report any official action taken against the licensee within 10 business days; and also did not comply with terms of the Board’s Stipulated Order of 2011, in violation of ORS 677.190(17).

3.3 Licensee submitted an application to renew his license with this Board on December 29, 2015. In his application, Licensee disclosed the existence of the 2012 MQAC Final Order, but failed to inform the Board that he had received notice from the State of Washington Department of Health Adjudicative Service Unit captioned “Notice of Hearing on Motion” notifying Licensee that an administrative hearing regarding the Medical Program’s (MQAC) motion related to noncompliance with the Final Order. The notice was dated July 23, 2015, and the hearing was scheduled for August 26, 2015. This omission violated OAR 847-008-0058, which prohibits licensees from submitting a license application with omissions or false, misleading or deceptive statements or information, in violation of ORS 677.190(17).

3.4 On January 15, 2016, MQAC issued a Statement of Charges that Licensee had failed to comply with his 2012 Final Order. On September 21, 2016, Licensee signed, and on October 7, 2016, MQAC approved Stipulated Findings of Fact, Conclusions of Law, and Agreed Order that concluded Licensee had failed to comply with the terms of his 2012 Final Order and had repeatedly failed to timely submit declarations and reports. This constitutes a violation of ORS 677.190(1)(a), as defined in ORS 677.188(4)(a); ORS 677.190(15) disciplinary action by another state as well as violating the Board’s Stipulated Order of 2011, in violation of ORS 677.190(17).

4.

Licensee and the Board desire to settle this matter by entry of this Stipulated Order. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this

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Order in the Board’s records. Licensee admits that he engaged in the conduct described in paragraph 3 above and that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); ORS 677.190(15) disciplinary action by another state; and ORS 677.190(17) willfully violating any rule adopted by the Board or Board order, or failing to comply with a Board request pursuant to ORS 677.320. Licensee understands that this Order is a public record and is a disciplinary action that is reportable to the National Data Bank and the Federation of State Medical Boards.

5.

Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order subject to the following terms and conditions:

5.1 Licensee is reprimanded.

5.2 Licensee must pay a civil penalty of $5,000 within six months from the effective date of this Order. Licensee may make payments if he desires, as long as no payment, excepting the final payment, is less than $100.

5.3 Licensee is placed on probation for five years. Licensee must report in person to the Board at each of its quarterly meetings at the scheduled times for a probation interview, unless otherwise directed by the Board's Compliance Officer or its Investigative Committee. Interviews may be held electronically, at the Board's discretion, between Licensee and the Board's Compliance Officer (or its designee) using Board established protocols for the location and electronic transmission of the meeting. Licensee is responsible for supplying and maintaining the equipment and technology necessary for him to participate in the electronic meetings. Licensee will be notified if and when such meetings are scheduled in lieu of an in-person appearance at a quarterly Board meeting.

5.4 Licensee must fully comply with the terms of the MQAC issued Stipulated Findings of Fact, Conclusions of Law and Agreed Order, dated October 7, 2016. (See attachment)
5.5 Licensee must notify the Board if MQAC finds that he is out of compliance with the MQAC Agreed Order, or makes any modification to this Order.

5.6 Licensee must forward directly to the Board a copy of any correspondence or documents sent to, or received from, MQAC or other governmental entity regarding compliance with the MQAC Agreed Order. These materials must be sent to the Board within 10 calendar days of mailing by Licensee, or his representative, or from date of receipt by Licensee.

5.7 Licensee's medical practice is subject to random, no notice chart audits and office visits by Board designees.

5.8 In the event the Washington MQAC terminates the Agreed Order of October 7, 2016, Licensee may submit a written request to modify or terminate the terms of this Stipulated Order, provided that two years have elapsed from the effective date of this Order.

5.9 The Stipulated Order dated June 2, 2011, terminates effective the date this Order is signed by the Board Chair.

5.10 Licensee stipulates and agrees that this Order becomes effective the date it is signed by the Board Chair.

5.11 Licensee must obey all federal and Oregon state laws and regulations pertaining to the practice of medicine.

5.12 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED THIS 14th day of December, 2017.

KENNETH FRED WENBERG, MD

IT IS SO ORDERED THIS 4th day of January, 2018.

OREGON MEDICAL BOARD
State of Oregon

MICHAEL MASTRANGELO JR., MD
BOARD CHAIR

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STATE OF WASHINGTON
MEDICAL QUALITY ASSURANCE COMMISSION

In the Matter of the License to Practice as a Physician and Surgeon of

KENNETH WENBERG, MD
License No. MD00025365

Respondent.

No. M2016-86

STIPULATED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND AGREED ORDER

The Medical Quality Assurance Commission (Commission), through Lawrence Berg, Staff Attorney, and Respondent, represented by John E. Pollino, Attorney, stipulate and agree to the following.

1. PROCEDURAL STIPULATIONS

1.1 On June 3, 2010, the Commission entered Stipulated Findings of Fact, Conclusions of Law, and Agreed Order in case no. M2008-118474 (2010 Agreed Order). The 2010 Agreed Order states that Respondent’s care of an elderly patient was below the standard of care. Respondent was required to complete continuing medical education (CME), submit to periodic practice reviews of his patient medical records, and pay a fine.

1.2 On December 11, 2012, the Commission entered Findings of Fact, Conclusions of Law, and Final Order in case no. M2011-1317 (2012 Final Order). The 2012 Final Order states that Respondent failed to comply with requirements stated in the 2010 Agreed Order. The 2012 Final Order superseded the 2010 Agreed Order and imposed conditions: Respondent’s license remained on probation; Respondent was required to provide notice of his ongoing employment; Respondent was required to cause his clinical supervisor to file quarterly performance reports; and Respondent was required to file quarterly personal reports regarding his completion of CME, including specified course work.

1.3 On January 15, 2016, the Commission issued a Statement of Charges against Respondent in this adjudication case based on a complaint in case no. 2015-6911 that Respondent failed to comply with the 2012 Final Order. On February 1, 2016, the Commission issued an Amended Statement of Charges to correct the adjudication case number.
1.4 The Commission is prepared to proceed to a hearing on the allegations in the Amended Statement of Charges.

1.5 Respondent has the right to defend against the allegations in the Amended Statement of Charges by presenting evidence at a hearing.

1.6 The Commission has the authority to impose sanctions pursuant to RCW 18.130.160 if the allegations are proven at a hearing.

1.7 The parties agree to resolve this matter by means of this Stipulated Findings of Fact, Conclusions of Law, and Agreed Order (Agreed Order). This Agreed Order supersedes the 2012 Final Order.

1.8 Respondent waives the opportunity for a hearing on the Amended Statement of Charges if the Commission accepts this Agreed Order.

1.9 This Agreed Order is not binding unless it is accepted and signed by the Commission.

1.10 If the Commission accepts this Agreed Order, it will be reported to the National Practitioner Data Bank (45 CFR Part 60), the Federation of State Medical Boards’ Physician Data Center and elsewhere as required by law.

1.11 This Agreed Order is a public document. It will be placed on the Department of Health’s website, disseminated via the Commission’s electronic mailing list, and disseminated according to the Uniform Disciplinary Act (Chapter 18.130 RCW). It may be disclosed to the public upon request pursuant to the Public Records Act (Chapter 42.56 RCW). It will remain part of Respondent’s file according to the state’s records retention law and cannot be expunged.

1.12 If the Commission rejects this Agreed Order, Respondent waives any objection to the participation at hearing of any Commission members who heard the Agreed Order presentation.
2. FINDINGS OF FACT

Respondent and the Commission acknowledge that the evidence is sufficient to justify the following findings, and the Commission makes the following findings of fact.

2.1 On March 28, 1988, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent is not board certified, but self designates his specialty as family medicine. Respondent's license is active, but on probation.

2.2 On December 11, 2012, the Commission issued the 2012 Final Order which continued probation on Respondent's license and imposed quarterly reporting requirements. Respondent has failed to comply with the terms of the 2012 Final Order. For reporting quarters between July 2013 and January 2016, Respondent repeatedly failed to timely submit required declarations and reports.

2.3 Respondent was repeatedly notified about the reporting deadlines and how failure to comply constituted a violation of the 2012 Final Order. Respondent was aware that violating the terms of the 2012 Final Order could cause the Commission to pursue formal charges, including suspension or revocation of Respondent's license.

3. CONCLUSIONS OF LAW

The Commission and Respondent agree to the entry of the following Conclusions of Law.

3.1 The Commission has jurisdiction over Respondent and over the subject matter of this proceeding.

3.2 Respondent has committed unprofessional conduct in violation of RCW 18.130.180(9).

3.3 The above violation provides grounds for imposing sanctions under RCW 18.130.160

4. AGREED ORDER

Based on the Findings of Fact and Conclusions of Law, Respondent agrees to entry of the following Agreed Order.

4.1 **Probation.** Respondent’s license remains on PROBATION.
4.2 **Modification.** Respondent may petition the Commission in writing to modify the Probation term no sooner than twelve (12) months from the effective date of this Agreed Order. The Commission will issue a notice scheduling a date and time for Respondent to appear, unless the Commission waives the need for an appearance.

4.3 **Practice Requirements.** Respondent must practice within the parameters of his skill and knowledge. Respondent's place of practice must have *physician supervision.* Both the place of practice and the supervising physician(s) must be approved by the Commission. Respondent's current places of practice under the supervision of Dr. Bruce Carlson and Dr. Russell Nichols are pre-approved by the Commission. The name and location of all other places of practice and supervising physician must be submitted and approved within thirty (30) days of beginning practice. *If the Commission disapproves of the practice location, Respondent will cease* practicing as soon as practicable and based upon contractual obligations, without being found in violation of the Agreed Order. Respondent must cause any new supervising physician to verify that he/she has read the Agreed Order and agrees to comply with Paragraph 4.4.2.

4.4 **Quarterly Declarations and Reports.** Respondent shall submit the following declarations to the Commission.

4.4.1 **Continuing Medical Education (CME).** Respondent shall submit quarterly declarations, on a Commission-approved form identifying all continuing medical education completed during the quarter, and provide copies of certificates of completion. The Commission recommends that Respondent attend courses that are clinically based and practice specific. Quarterly declarations are due October 1, January 1, April 1, and July 1.

4.4.2 **Supervising Physician Reports.** Respondent must make reasonable efforts to cause his supervising physician(s) to submit quarterly reports regarding Respondent's clinical performance. The supervising physician should consider Respondent's skills and progress, including but not limited to: the timeliness and completeness of patient recordkeeping; the appropriate referral of patients to other providers; and the timely review of reports and tests from other providers. The supervising physician may supplement written reports.
with oral reports to the Commission's Medical Consultant. The supervising physician must file additional reports if concerns arise regarding Respondent's practice standards. Quarterly reports are due by the second Friday of October, January, April, and July.

4.5 **Address for Documents.** All declarations and documents must be submitted to the Commission, in both electronic and printed format, to the respective address below:

1. Medical.compliance@doh.wa.gov

2. Compliance Officer
   Medical Quality Assurance Commission
   P.O. Box 47866
   Olympia, Washington 98504-7866

4.6 **Compliance Orientation.** Respondent shall complete a compliance orientation in person or by telephone within sixty (60) days of the effective date of this Agreed Order. Respondent must contact the Compliance Unit at the Commission by calling 360-236-2763, or by sending an email to: Medical.compliance@doh.wa.gov within ten (10) days of the effective date of this Agreed Order. Respondent must provide a contact phone number where Respondent can be reached for scheduling purposes. Respondent is permitted to have counsel present during the orientation.

4.7 **Personal Appearances.** Respondent must personally appear before the Commission in approximately six (6) months of the effective date of this Agreed Order, or as soon thereafter as the Commission's schedule permits. Thereafter, Respondent must make personal appearances annually or as frequently as the Commission otherwise requires until the Commission terminates this Agreed Order, unless the Commission waives the need for an appearance. The Commission will provide reasonable notice of all scheduled appearances to Respondent and his attorney, but not less than thirty (30) days prior to the appearance. The purpose of appearances is to provide meaningful oversight of Respondent's compliance with this Agreed Order.

4.8 **Fine.** Respondent shall pay a fine to the Commission in the amount of three thousand dollars ($3,000.00), which must be received by the Commission within twelve (12) months of the effective date of this Agreed Order. The fine shall
be paid by certified or cashier's check or money order, made payable to the
Department of Health and mailed to Department of Health, Medical Quality
Assurance Commission, P.O. Box 1099, Olympia, Washington, 98507-1099.

4.9 **Obey all laws.** Respondent shall obey all federal, state and local laws
and all administrative rules governing the practice of the profession in Washington.

4.10 **Compliance Costs.** Respondent is responsible for all costs of complying
with this Agreed Order.

4.11 **Violation of Order.** If Respondent violates any provision of this Agreed
Order in any respect, the Commission may initiate further action against Respondent's
license.

4.12 **Change of Address.** Respondent shall inform the Commission and the
Adjudicative Clerk Office, in writing, of changes in Respondent's residential and
business address within thirty (30) days of the change.

4.13 **Effective Date of Order.** The effective date of this Agreed Order is the
date the Adjudicative Clerk Office places the signed Agreed Order into the U.S. mail.
If required, Respondent shall not submit any fees or compliance documents until after
the effective date of this Agreed Order. Until the effective date of this Agreed Order,
Respondent shall continue to submit reports as required in the 2012 Final Order.

4.14 **Termination.** Respondent may petition the Commission to terminate
this Stipulation no sooner than two (2) years after the effective date of this Stipulation.
The Commission will issue a notice scheduling a date and time for Respondent to
appear, unless the Commission waives the need for an appearance.

5. **COMPLIANCE WITH SANCTION RULES**

5.1 The Commission applies WAC 246-16-800, *et seq.*, to determine
appropriate sanctions. Respondent's failure to comply with an existing Final Order is
not addressed by the sanction schedules. When no sanction schedule applies to
unprofessional conduct then WAC 246-16-800(2)(d) allows the Commission to use its
judgment in determining appropriate sanctions. Respondent's late submission of
reports and declarations reflects a disregard for his obligations under the prior Orders.
5.2 The Commission previously identified mitigating and aggravating factors in this case. It is mitigating that Respondent's late-filed declarations reflect his continued attendance in CME courses. Respondent's supervising physicians' declarations also consistently report Respondent's satisfactory performance. It is aggravating that Respondent has been subject to a Commission order since 2008 because of his failure to comply with the sanctions of that order. The mitigating and aggravating factors are equally weighed justifying the imposition of sanction terms similar to Respondent's prior order.

5.3 Respondent's repeated failure to satisfy the prior order's minimum two-year period of compliance justifies imposition of sanctions similar to the previous order. Respondent must comply with the requirements of this Agreed Order for a minimum two years. The sanctions in this case include probation with ability to modify that term after twelve (12) months, quarterly on-time submittals of CME and supervisory evaluations, personal appearances, and $3,000.00 fine.

6. FAILURE TO COMPLY

Protection of the public requires practice under the terms and conditions imposed in this order. Failure to comply with the terms and conditions of this order may result in suspension of the license after a show cause hearing. If Respondent fails to comply with the terms and conditions of this order, the Commission may hold a hearing to require Respondent to show cause why the license should not be suspended. Alternatively, the Commission may bring additional charges of unprofessional conduct under RCW 18.130.180(9). In either case, Respondent will be afforded notice and an opportunity for a hearing on the issue of non-compliance.

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STIPULATED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND AGREED ORDER
NO. M2016-86

ORIGINAL

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7. RESPONDENT'S ACCEPTANCE

I, KENNETH WENBERG, MD, Respondent, certify that I have read this Agreed Order in its entirety; that my counsel of record has explained its legal significance, and that I understand this Agreed Order. This Agreed Order may be presented to the Commission without my appearance. I understand that I will receive a signed copy if the Commission accepts this Agreed Order.

Kenneth J. Wenberg
KENNETH WENBERG, MD
RESPONDENT

DATE
9.21.16

John Pollino, WSBA#22593
ATTORNEY FOR RESPONDENT

DATE
9.26.16

8. COMMISSION'S ACCEPTANCE AND ORDER

The Commission accepts and enters this Stipulated Findings of Fact, Conclusions of Law and Agreed Order.

DATED: 10/1/16, 2016.

STATE OF WASHINGTON
MEDICAL QUALITY ASSURANCE COMMISSION

PRESENTED BY:

Lawrence J. Berg, WSBA# 22334
STAFF ATTORNEY

STIPULATED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND AGREED ORDER
NO. M2016-68