Oregon Medical Board

BOARD ACTION REPORT

October 15, 2019

The information contained in this report summarizes new, interim, and final actions taken by the Oregon Medical Board between September 16, 2019, and October 15, 2019.

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 <u>self-reported</u> that he/she has privileges.

Alhumaid, Alia, MD; MD191415; Lake Oswego, OR

On October 8, 2019, Applicant entered into a non-disciplinary Consent Agreement for Re-Entry to Practice with the Board. In this Agreement, Applicant agreed to practice under the supervision of pre-approved physician mentors for 1,000 hours, to include reports to the Board by the mentors; and to obtain certification with the American Board of Medical Specialties within 12 months.

*Backman, Jennifer Lee, DO; DO25595; Vancouver, WA

On October 3, 2019, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; and willful violation of any rule adopted by the Board, Board order, or failing to comply with a Board request. This Order surrenders Licensee's medical license while under investigation and assesses a \$5,000 civil penalty with \$2,500 held in abeyance.

Barba-Basilan, Denise Stella, MD; MD189073; Salem, OR

On September 19, 2019, the Board issued an Order Terminating Consent Agreement for Re-Entry to Practice. This Order terminates Licensee's February 26, 2019, Consent Agreement for Re-Entry to Practice.

*Desai, Rahul Naren, MD; MD28444; Beaverton, OR

On October 3, 2019, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's 2019 Corrective Action Agreement.

*Elliott, John David, MD; MD23633; The Dalles, OR

On October 1, 2019, Licensee entered into an Interim Stipulated Order to voluntarily abstain from the use of ketamine in treating any patients for mental health conditions or migraine pending the completion of the Board's investigation into his ability to safely and competently practice medicine.

*Goldberg, Charles Barry, MD; MD11101; Portland, OR

On September 26, 2019, Licensee entered into an Interim Stipulated Order to voluntarily cease the initiation of chronic pain treatment with opioids; taper current chronic pain patients to 90 MED or less or transfer care of the patient; limit prescribing for acute pain; taper concurrent benzodiazepines or transfer care of the patient; cease prescribing concurrent benzodiazepines or muscle relaxants with opioids; and obtain an annual EKG for all patients taking methadone pending the completion of the Board's investigation into his ability to safely and competently practice medicine.

*Grandi, Renee Elisabeth, MD; MD23645; Enterprise, OR

On October 3, 2019, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; making statements that Licensee knew, or with the exercise of reasonable care should know, are false or misleading, regarding skill or efficacy or value of the medicine, treatment or remedy prescribed or administered by the Licensee; and gross or repeated acts of negligence. This Order reprimands Licensee; assesses a \$2,500 civil penalty; requires Licensee to complete a CPEP evaluation, contract with CPEP for the development of any education plan, and complete the CPEP education plan; requires Licensee to follow guidelines endorsed by the Endocrine Society; subjects Licensee to no-notice chart audits and office visits by the Board's designees; prohibits Licensee from practicing telemedicine; and requires Licensee to comply with Institutional Review Board requirements before conducting or participating with any patient study or clinical research.

*Huebert, Jimmy Dee, MD; MD23362; Tualatin, OR

On October 3, 2019, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; and gross or repeated acts of negligence. This Order reprimands Licensee; assesses a \$7,500 civil penalty; requires Licensee to complete a pre-approved course on medical ethics; and prohibits Licensee from acting as a Medical Director for any aesthetic medicine clinic or medical spa.

*Laurie, Michael Aaron, MD; MD19654; Eugene, OR

On October 3, 2019, Licensee entered into a non-disciplinary Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete a CPEP evaluation; contract with CPEP for the development of any education plan; and complete the CPEP education plan.

*Peterson, John Melvin, MD; MD156447; Ontario, OR

On October 3, 2019, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct. With this Order, Licensee retires his medical license while under investigation.

*Sterett, Justin Derik, MD; MD175101; Klamath Falls, OR

On October 3, 2019, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; and gross or repeated acts of negligence. This Order surrenders Licensee's medical license while under investigation and assesses a \$5,000 civil penalty.

Touchet, Seth Louis, LAc; AC191701; Portland, OR

On September 19, 2019, the Board issued an Order Terminating Consent Agreement for Re-Entry to Practice. This Order terminates Licensee's April 4, 2019, Consent Agreement for Re-Entry to Practice.

*Van Amburg, Jana Marie, MD; MD23515; Bend, OR

On October 3, 2019, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; and gross or repeated acts of negligence. This Order requires Licensee to complete the PACE education plan; requires Licensee to complete a pre-approved course on medical documentation; restricts Licensee from performing hepatobiliary surgery prior to completing pre-approved training; requires Licensee to obtain a pre-approved surgical mentor who will provide quarterly reports to the Board; and subjects Licensee to no-notice chart audits and office visits by the Board's designees.

*Walker, Kent Ray, DO; DO20295; Puyallup, WA

On October 3, 2019, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; gross or repeated acts of negligence; willful violation any Board rule or order; and prescribing controlled substances without following accepted procedures for examination of patients or for record keeping. This Order reprimands Licensee; assesses a \$7,500 civil penalty, \$5,000 held in abeyance as long as Licensee's license status in Oregon does not allow for the practice of medicine in Oregon; places Licensee on probation for 5 years, held in abeyance as long as Licensee's license status in Oregon does not allow for the practice of medicine in Oregon; restricts Licensee from prescribing stimulants to any Oregon patients; restricts Licensee's prescribing for chronic and acute pain; requires Licensee to taper current Oregon patients or those transferred to Licensee's care to 90 MED or less; restricts License from prescribing concurrent benzodiazepines or muscle relaxants with Schedule II medications; requires Licensee to taper benzodiazepines or muscle relaxants for Oregon patients being prescribed Schedule II medications; and subjects Licensee's Oregon medical practice and charts to random audits.

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.

| 1 | BEFORE THE |
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| 2 | OREGON MEDICAL BOARD |
| 3 | STATE OF OREGON |
| 4 | In the Matter of) |
| 5 6 | JENNIFER LEE BACKMAN, DO) STIPULATED ORDER LICENSE NO. DO25595) |
| 7 |) |
| 8 | 1, |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, |
| 10 | regulating and disciplining certain health care providers, including physicians, in the State of |
| 11 | Oregon. Jennifer Lee Backman, DO (Licensee) is a licensed physician in the State of Oregon. |
| 12 | 2. |
| 13 | On October 5, 2017, Licensee entered into a Stipulated Order with the Board. This Orde |
| 14 | placed Licensee on probation with certain conditions. On November 19, 2018, the Board opened |
| 15 | an investigation due to Licensee's non-compliance with the Stipulated Order. |
| 16 | 3. |
| 17 | On May 30, 2019, the Board issued a Complaint and Notice of Proposed Disciplinary |
| 18 | Action (Notice) in which the Board proposed taking disciplinary action by imposing up to the |
| 19 | maximum range of potential sanctions identified in ORS 677.205(2), that may include the |
| 20 | revocation of license, a \$10,000 civil penalty per violation, and assessment of costs, against |
| 21 | Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional |
| 22 | conduct, as defined by ORS 677.188(4)(a) any conduct or practice contrary to recognized |
| 23 | standards of ethics of the medical profession or any conduct or practice which does or might |
| 24 | constitute a danger to the health or safety of a patient or the public or any conduct, practice or |
| 25 | condition which does or might adversely affect a physician's ability to safely and skillfully |
| 26 | practice medicine; and ORS 677.190(17) willful violation of any rule adopted by the Board, |
| 27 | specifically OAR 847-001-0024(2) Compliance, willful violation of any Board order, |

1 specifically the Stipulated Order dated October 5, 2017, or failing to comply with a Board 2 request pursuant to ORS 677.320. 3 4. 4 Licensee and the Board desire to settle this matter by the entry of this Stipulated Order. 5 Licensee understands that she has the right to a contested case hearing under the Administrative 6 Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a 7 contested case hearing and any appeal therefrom by the signing of and entry of this Order in the 8 Board's records. Licensee admits that she engaged in conduct described in the Notice of May 9 30, 2019, and that this conduct violated the Medical Practice Act, to wit: ORS 677.190(1)(a), as 10 defined by ORS 677.188(4)(a); and ORS 677.190(17). Licensee understands that this Order is a 11 public record and is a disciplinary action that is reportable to the National Practitioner Data Bank 12 and the Federation of State Medical Boards. 5. 13 14 Licensee and the Board agree that the Board will close this investigation and resolve this 15 matter by entry of this Stipulated Order, subject to the following conditions: 16 4.1 Licensee surrenders her Oregon medical license while under investigation. 17 4.2 Licensee is assessed a civil penalty of \$5,000. The first \$2,500 is due within one 18 year from the effective date of this Order. Licensee may make payments, as long as no payment, 19 excepting the final payment, is less than \$100. The remaining \$2,500 is held in abeyance as long 20 as Licensee submits \$2,500 in full within one year of the effective date of this Order. If Licensee 21 fails to submit the \$2,500 within one year, the final \$2,500 is due with 60 days. 22 4.3 The October 5, 2017, Stipulated Order terminates effective the date the Board 23 Chair signs this Order. 24 4.4 Licensee must obey all Federal and Oregon State laws and regulations pertaining to the practice of medicine. 25 26 111 27 ///

| 1 | 4.5 Licensee stipulates and agrees that any violation of the terms of this Order | shall |
|-----|--|-------|
| 2 | be grounds for further disciplinary action under ORS 677.190(17). | |
| 3 | 6. | |
| 4 | This Order becomes effective the date it is signed by the Board Chair. | |
| 5 | 301 | |
| 6 | IT IS SO STIPULATED this day of | 2019. |
| 7 | 10 | |
| 8 | TO THE DACK AND DO | |
| 9 | FENN FER LEE BACKMAN, DO | |
| 10 | IT IS SO ORDERED this day of | 2019. |
| 11 | | |
| 12 | OREGON MEDICAL BOARD State of Oregon | |
| 13. | | |
| 14 | | |
| 15 | K. DEAN GUBLER, DO | |
| 16 | Board Chair | |
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| 1 | I | BEFORE THE |
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| 2 | OREGO | N MEDICAL BOARD |
| 3 | STA | TE OF OREGON |
| 4 | In the Matter of |) |
| 5 | RAHUL NAREN DESAI, MD |)) ORDER TERMINATING |
| 6 | LICENSE NO. MD28444 |) CORRECTIVE ACTION AGREEMENT |
| 7 | | , |
| 8 | | 1. |
| 9 | On January 10, 2019, Rahul Naren | Desai, MD (Licensee) entered into a Corrective |
| 10 | Action Agreement with the Oregon Medic | cal Board (Board). This Agreement placed conditions |
| 11 | on Licensee's Oregon license. On May 31 | 1, 2019, Licensee submitted documentation that he has |
| 12 | successfully completed all terms of this A | greement and requested that this Agreement be |
| 13 | terminated. | |
| 14 | | 2. |
| 15 | The Board has reviewed the docum | entation submitted by Licensee and has determined |
| 16 | that Licensee has successfully complied w | rith all of the terms of this Agreement. The Board |
| 17 | terminates the January 10, 2019, Corrective | ve Action Agreement, effective the date this Order is |
| 18 | signed by the Board Chair. | |
| 19 | | |
| 20 | IT IS SO OF | RDERED this 3 rd day of October, 2019. |
| 21 | | OREGON MEDICAL BOARD |
| 22 | | State of Oregon |
| 23 | | |
| 24 | | K. DEAN GUBLER, DO |
| 25 | | Board Chair |
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| 27 | | |

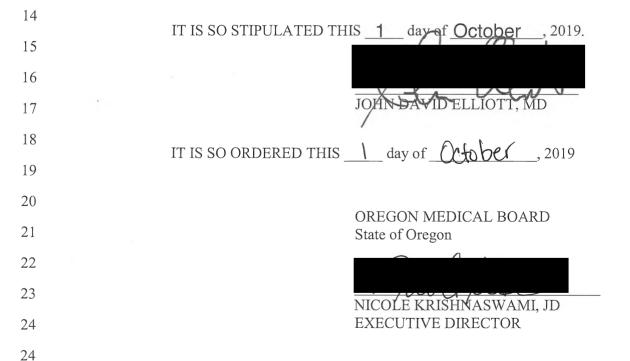
Page -1 ORDER TERMINATING CORRECTIVE ACTION AGREEMENT - Rahul Naren Desai, MD

| 1 | BEFORE THE | |
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| 2 | OREGON MEDICAL BOARD | |
| 3 | STATE OF OREGON | |
| 4 | In the Matter of) | |
| 5 | JOHN DAVID ELLIOTT, MD) INTERIM STIPULATED ORDER | |
| 6 | LICENSE NO. MD23633 | |
| 7 | | |
| 8 | 1. | |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, | |
| 10 | regulating and disciplining certain health care providers, including physicians, in the state of | |
| 11 | Oregon. John David Elliott, MD (Licensee) is a licensed physician in the State of Oregon and | d |
| 12 | holds an active medical license. | |
| 13 | 2. | |
| 14 | The Board received credible information regarding Licensee that resulted in the Board | d |
| 15 | initiating an investigation. The results of the Board's investigation to date have raised concer | ns |
| 16 | to the extent that the Board believes it necessary, and Licensee agrees to abide by, certain term | ms |
| 17 | until the investigation is completed. | |
| 18 | 3. | |
| 19 | Licensee and the Board agree to the entry of this Interim Stipulated Order, which is no | ot |
| 20 | an admission of any wrongdoing on the part of the Licensee, is not a final or disciplinary order | er, |
| 21 | will remain in effect while this matter is under investigation, and provides that Licensee shall | |
| 22 | comply with the following conditions: | |
| 23 | 3.1 Licensee agrees he will not use ketamine in treatment of any patients for mental | al |
| 24 | health conditions or migraine. | |
| 24 | 3.2 Licensee understands that violating any term of this Order will be grounds for | |
| 25 | disciplinary action under ORS 677.190(17). | |
| 26 | 3.3 Licensee understands this Order becomes effective the date he signs it. | |

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 Practitioner Databank and the Federation of State Medical Boards.



Page 2 – INTERIM STIPULATED ORDER – John David Elliott, MD

| 1 | BEFORE THE |
|----|--|
| 2 | OREGON MEDICAL BOARD |
| 3 | STATE OF OREGON |
| 4 | In the Matter of) |
| 5 |) CHARLES BARRY GOLDBERG, MD) INTERIM STIPULATED ORDER |
| 6 | LICENSE NO. MD11101) |
| 7 | |
| 8 | 1. |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, |
| 10 | regulating and disciplining certain health care providers, including physicians, in the State of |
| 11 | Oregon. Charles Barry Goldberg, MD (Licensee) is a licensed physician in the State of Oregon |
| 12 | and holds an active medical license. |
| 13 | 2. |
| 14 | The Board received credible information regarding Licensee that resulted in the Board |
| 15 | initiating an investigation. The results of the Board's investigation to date have raised concerns |
| 16 | to the extent that the Board believes it necessary that Licensee agree to certain terms until the |
| 17 | investigation is completed. |
| 18 | 3. |
| 19 | In order to address the Board's concerns, Licensee and the Board agree to the entry of |
| 20 | this Interim Stipulated Order, which is not an admission of any wrongdoing on the part of the |
| 21 | Licensee, and will remain in effect while this matter is under investigation, and provides that |
| 22 | Licensee shall comply with the following conditions: |
| 23 | 3.1 Licensee must not begin treatment for chronic pain with opioids for any new or |
| 24 | existing patient. For the purposes of this Order, chronic pain is defined as pain that persists or |
| 24 | progresses over a period of time greater than 30 days. |
| 25 | 3.2 Licensee must immediately begin to taper opioid medications for any chronic pain |
| 26 | patient with a morphine equivalent dose (MED) over 90 by at least 5-10% per month until |

| 1 | patient's MED is 90 or less unless the patient is currently enrolled in hospice or is currently |
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| 2 | receiving end of life care. If this exception applies, Licensee must certify on the written |
| 3 | prescription that the patient is a hospice patient or receiving end of life care. Licensee may elect |
| 4 | to transfer the care of any patient with an MED over 90 to another physician. |
| 5 | 3.3 Licensee may treat patients for acute pain for no more than 30 days per year, with |
| 6 | a maximum MED of 50. |
| 7 | 3.4 Licensee must not begin treatment with benzodiazepines for patients taking |
| 8 | opioids. |
| 9 | 3.5 For patients taking benzodiazepines and opioids (other than buprenorphine or |
| 10 | buprenorphine/naloxone), Licensee must begin to taper benzodiazepines after opioids have been |
| 11 | tapered to 90 MED or less. Benzodiazepines must be tapered by at least 10% per month until the |
| 12 | patient is weaned off benzodiazepines. Alternatively, Licensee may transfer the care of any |
| 13 | patient for whom he is prescribing benzodiazepines and opioids to another physician. Licensee |
| 14 | may continue to prescribe concurrent benzodiazepines to patients who are currently enrolled in |
| 15 | hospice or who are currently receiving end of life care. Licensee must certify on the written |
| 16 | prescription that the patient is a hospice patient or receiving end of life care. |
| 17 | 3.6 Licensee must not concomitantly prescribe opioids with benzodiazepines |
| 18 | following tapering as outlined in terms 3.2 and 3.5. |
| 19 | 3.7 Licensee must not concomitantly prescribe opioids with muscle relaxants. |
| 20 | 3.8 Licensee must obtain an EKG on all patients taking methadone at least once |
| 21 | annually. |
| 22 | 3.9 Licensee understands that violating any term of this Order will be grounds for |
| 23 | disciplinary action under ORS 677.190(17). |
| 24 | 3.10 Licensee understands this Order becomes effective the date he signs it. |
| 24 | 4. |
| 25 | 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

| 1 | review, not to lift the requirements of this Order, Licensee may request a hearing to contest that |
|----|--|
| 2 | decision. |
| 3 | 5. |
| 4 | This order is issued by the Board pursuant to ORS 677.410, which grants the Board the |
| 5 | authority to attach conditions to the license of Licensee to practice medicine. These conditions |
| 6 | will remain in effect while the Board conducts a complete investigation in order to fully inform |
| 7 | itself with respect to the conduct of Licensee. Pursuant to ORS 677.425, Board investigative |
| 8 | materials are confidential and shall not be subject to public disclosure, nor shall they be admissible |
| 9 | as evidence in any judicial proceeding. However, as a stipulation this Order is a public document |
| 10 | and is reportable to the National Practitioner Databank and the Federation of State Medical Boards. |
| 11 | ä. |
| 12 | IT IS SO STIPULATED THIS 26 day of Septanbar, 2019. |
| 13 | |
| 14 | CHARLES BARRY GOLDBERG MD |
| 15 | CHARLES BARRY GOLDBERG, MD IT IS SO ORDERED THIS 26 day of September_, 2019. |
| 16 | IT IS SO ORDERED THIS 26 day of _ September, 2019. |
| 17 | |
| 18 | OREGON MEDICAL BOARD |
| 19 | State of Oregon |
| 20 | |
| 21 | JOSEPH J. THALER, MD |
| 22 | MEDICAL DIRECTOR |
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Page 3 – INTERIM STIPULATED ORDER – Charles Barry Goldberg, MD

| 1 | BEFORE THE |
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| 2 | OREGON MEDICAL BOARD |
| 3 | STATE OF OREGON |
| 4 | In the Matter of |
| 5 | RENEE ELISABETH GRANDI, MD) STIPULATED ORDER LICENSE NO. MD23645) |
| 6 |) |
| 7 | |
| 8 | 1. |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, |
| 10 | regulating and disciplining certain health care providers, including physicians, in the State of |
| 11 | Oregon. Renee Elisabeth Grandi, MD (Licensee) is a licensed physician in the State of Oregon. |
| 12 | 2. |
| 13 | On May 9, 2019, the Board issued a Complaint and Notice of Proposed Disciplinary |
| 14 | Action (Notice) in which the Board proposed taking disciplinary action by imposing up to the |
| 15 | maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of |
| 16 | license, a \$10,000 civil penalty per violation, and assessment of costs, against Licensee for |
| 17 | violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or |
| 18 | dishonorable conduct, as defined by ORS 677.188(4)(a), ORS 677.188(4)(b), and ORS |
| 19 | 677.188(4)(c); ORS 677.190(9) making statements that Licensee knew, or with the exercise of |
| 20 | reasonable care should know, are false and misleading, regarding skill or efficacy or value of the |
| 21 | medicine, treatment or remedy prescribed or administered by Licensee; and ORS 677.190(13) |
| 22 | gross or repeated acts of negligence. |
| 23 | 3. |
| 24 | Licensee and the Board desire to settle this matter by entry of this Stipulated Order. |
| 25 | Licensee understands that she has the right to a contested case hearing under the Administrative |
| 26 | Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the |
| 27 | right to a contested case hearing and any appeal therefrom by the signing of and entry of this |
| 28 | Order in the Board's records. Licensee neither admits nor denies, but the Board finds that she |

| 1 | engaged in the conduct described in the Notice dated May 9, 2019, and that this conduct violated |
|---|--|
| 2 | ORS 677.190(1)(a), as defined by ORS 677.188(4)(a), ORS 677.188(4)(b), and ORS |
| 3 | 677.188(4)(c); ORS 677.190(9); and ORS 677.190(13). Licensee understands that this Order is a |
| 4 | public record and is a disciplinary action that is reportable to the National Practitioner Data Bank |
| 5 | and the Federation of State Medical Boards. |
| 6 | 4. |
| 7 | Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order |
| 8 | subject to the following terms and conditions: |

4.1 Licensee is reprimanded.

- 4.2 Licensee must pay a civil penalty of \$2,500.00 within 90 days from the effective date of this Order.
- 4.3 Within 30 days from the date this Order is signed by the Board Chair, Licensee, at her own expense, must enroll to undergo a comprehensive evaluation at the Center for Personalized Education for Professionals (CPEP). Licensee must complete this evaluation within 180 days from the date this Order is signed by the Board Chair. Licensee must sign all necessary releases to allow full communication and exchange of documents and reports between the Board and CPEP. Licensee must ensure CPEP submits the evaluation reports directly to the Board.
- 4.4 In the event that CPEP identifies the need for remedial education, Licensee must contract with CPEP for the development of an education plan within 30 days of receipt of the evaluation report. Licensee must bear the cost of the completion of any CPEP recommendations, the development of an education plan, and any post-education evaluation. Licensee must sign all necessary releases to allow full communication and exchange of documents and reports between the Board and CPEP. Licensee must ensure CPEP submits the education plan and reports directly to the Board.
- 4.5 Licensee must sign the appropriate paperwork indicating that she agrees to enroll in the education plan, and return the signed documents to CPEP within 15 days of approval of the educational plan by the Board's Medical Director. Licensee must successfully complete the

CPEP education plan, including any post-education evaluation, within 18 months from the date the educational plan is approved. Licensee must comply with any educational recommendations, practice modifications, and timelines set forth by CPEP. Licensee must bear all costs associated with the approved education plan and any post-education evaluation. Any educational mentor must be pre-approved by CPEP and the Board's Medical Director. Licensee must sign all necessary releases to allow full communication and exchange of documents and reports between the Board, CPEP, and any mentors. Licensee must keep the Board apprised of her compliance with the CPEP education plan throughout its duration.

- 4.6 Licensee must provide the Board with written proof from CPEP upon successful completion of the approved education plan, including successful completion of any posteducation evaluation, as defined above.
- 4.7 Licensee must follow the clinical practice guidelines endorsed by the Endocrine Society, including Treatment of Symptoms of the Menopause (November 2015), Diagnosis and Treatment of Primary Adrenal Insufficiency (February 2016), Clinical Practice Guidelines for Hypothyroidism in Adults: Cosponsored by the American Association of Clinical Endocrinologists and the American Thyroid Association (2012), and subsequently endorsed guidelines by the Endocrine Society for treating any patient for adrenal insufficiency or treating any patient with thyroid, estrogen, or progesterone. Licensee must document in the patient chart subjective and objective findings and her clinical reasoning for the treatment plan. Licensee may elect to transfer the care of any patient to a board-certified endocrinologist for treatment for adrenal insufficiency or treatment with thyroid, estrogen, or progesterone.
- 4.8 Licensee's medical practice is subject to random, no notice chart audits and office visits by Board designees.
 - 4.9 Licensee must not practice telemedicine.
- 4.10 Licensee must comply with Institutional Review Board requirements before conducting or participating with any patient study or clinical research.
- 4.11 Licensee must obey all federal and Oregon state laws and regulations pertaining to the practice of medicine.

| 1 | 4.12 Licensee must inform the Compliance Section of the Board of any and all practic |
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| 2 | sites, as well as any changes in practice address(es), employment, or practice status within 10 |
| 3 | business days. Additionally, Licensee must notify the Compliance Section of any changes in |
| 4 | contact information within 10 business days. |
| 5 | 4.13 Licensee stipulates and agrees that any violation of the terms of this Order shall |
| 6 | be grounds for further disciplinary action under ORS 677.190(17). |
| 7 | 4.14 Licensee stipulates and agrees that this Order becomes effective the date it is |
| 8 | signed by the Board Chair. |
| 9 | IT IS SO STIPULATED THIS 24 day of September, 2019. |
| 10 | |
| 11 | RENEE ELISABETH GRANDI, MD |
| 12 | SAL PARAL |
| 13 | IT IS SO ORDERED THIS day of Alone, 2019. |
| 14 | OPECON MEDICAL DOADD |
| 15 | OREGON MEDICAL BOARD State of Oregon |
| 16 | |
| 17 | K. DEAN GUBLER, DO |
| 18 | BOARD CHAIR |
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| 1 | BEFORE THE | |
|--------|--|-----|
| 2 | OREGON MEDICAL BOARD | |
| 3 | STATE OF OREGON | |
| 4 5 | In the Matter of | |
| 6 | JIMMY DEE HUEBERT, MD) STIPULATED ORDER LICENSE NO. MD23362) | |
| 7 |) | |
| 8 | 1. | |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, | |
| 10 | regulating and disciplining certain health care providers, including physicians, in the State of | |
| 11 | Oregon. Jimmy Dee Huebert, MD (Licensee) is a licensed physician in the State of Oregon. | |
| 12 | 2. | |
| 13 | On September 11, 2019, the Board issued a Complaint and Notice of Proposed | |
| 14 | Disciplinary Action in which the Board proposed to take disciplinary action by imposing up to |) |
| 15 | the maximum range of potential sanctions identified in ORS 677.205(2), that may include the | |
| 16 | revocation of license, a \$10,000 civil penalty per violation, and assessment of costs, against | |
| 17 | Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional | lo |
| 18 | dishonorable conduct, as defined in ORS 677.188(4)(a) any conduct or practice contrary to | |
| 19 | recognized standards of ethics of the medical profession or any conduct or practice which does | 3 |
| 20 | or might constitute a danger to the health or safety of a patient or the public; and ORS | |
| 21 | 677.190(13) gross or repeated acts of negligence. | |
| 22 | 3. | |
| 23 | Licensee and the Board desire to settle this matter by the entry of this Stipulated Order. | |
| 24 | Licensee understands that he has the right to a contested case hearing under the Administrative | 3 |
| 25 | Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to | o a |
| 26 | contested case hearing and any appeal therefrom by the signing of this Order in the Board's | |
| 27 | records. Licensee neither admits nor denies, but the Board finds that Licensee engaged in the | |

1 conduct described in the September 11, 2019. Complaint and Notice of Proposed Disciplinary 2 Action and that this conduct violated ORS 677.190(1)(a), as defined in ORS 677.188(4)(a); and 3 ORS 677.190(13). Licensee understands that this Order is a public record and is a disciplinary 4 action that is reportable to the National Practitioner Data Bank and the Federation of State 5 Medical Boards. 6 4. 7 Licensee and the Board agree that the Board will close this investigation and resolve this 8 matter by entry of this Stipulated Order, subject to the following conditions: 9 4.1 Licensee is reprimanded. 10 4.2 Licensee must pay a civil penalty of \$7,500.00 within 90 days from the effective 11 date of this Order. 12 4.3 Licensee must complete a course in medical ethics that has been pre-approved by 13 the Board's Medical Director. 14 4.4 Licensee must not act as the Medical Director for any facility understood to be an aesthetic medicine clinic or medical spa. 15 4.5 16 Licensee must inform the Compliance Section of the Board of any and all practice sites, as well as any changes in practice address(es), employment, or practice status within 10 17 18 business days. Additionally, Licensee must notify the Compliance Section of any changes in 19 contact information within 10 business days. 20 4.6 Licensee must obey all Federal and Oregon State laws and regulations pertaining 21 to the practice of medicine. 22 4.7 Licensee stipulates and agrees that any violation of the terms of this Order shall 23 be grounds for further disciplinary action under ORS 677.190(17). 24 111 25 111 26 111 1// 27

| 1 | BEFORE THE |
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| 2 | OREGON MEDICAL BOARD |
| 3 | STATE OF OREGON |
| 4 | In the Matter of |
| 5 | MICHAEL AARON LAURIE, MD CORRECTIVE ACTION AGREEMENT |
| 6 | LICENSE NO. MD19654 |
| 7 | · • |
| 8 | 1. |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, |
| 10 | regulating and disciplining certain health care providers, including physicians, in the State of |
| 11 | Oregon. Michael Aaron Laurie, MD (Licensee) is a licensed physician in the State of Oregon. |
| 12 | 2. |
| 13 | Licensee is a board-certified internist practicing medicine in Eugene, Oregon. On May 1, |
| 14 | 2019, the Board issued a Complaint and Notice of Proposed Disciplinary Action in which the |
| 15 | Board proposed to take disciplinary action by imposing up to the maximum range of potential |
| 16 | sanctions identified in ORS 677.205(2), that may include the revocation of license, a \$10,000 |
| 17 | civil penalty per violation, and assessment of costs, against Licensee for violations of the |
| 18 | Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as |
| 19 | defined by ORS 677.188(4)(a) any conduct or practice contrary to recognized standards of ethics |
| 20 | of the medical profession or any conduct or practice which does or might constitute a danger to |
| 21 | the health or safety of a patient or the public; ORS 677.190(13) gross or repeated negligence in |
| 22 | the practice of medicine; and ORS 677.190(24) prescribing a controlled substance without a |
| 23 | legitimate medical purpose, or prescribing controlled substances without following accepted |
| 24 | procedures for examination of patients, or prescribing controlled substances without following |
| 25 | accepted procedures for record keeping. |
| 26 | \mathcal{H} |
| 27 | \mathcal{L} |

Page 1 - CORRECTIVE ACTION AGREEMENT - Michael Aaron Laurie, MD

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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 Practitioner Data Bank and the Federation of State Medical Boards.

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 30 days of the effective date of this Agreement, Licensee agrees to contract with CPEP for the development of an education plan. Licensee agrees to bear the cost of the completion of any CPEP recommendations, the development of an education plan, and any post-education evaluation. Licensee agrees to sign all necessary releases to allow full communication and exchange of documents and reports between the Board and CPEP. Licensee agrees to ensure CPEP submits the education plan and reports directly to the Board.
- 4.2 Licensee agrees to sign the appropriate paperwork indicating that he agrees to enroll in the education plan, and return the signed documents to CPEP within 15 days of approval of the educational plan by the Board's Medical Director. Licensee agrees to successfully complete the CPEP education plan, including any post-education evaluation, within 18 months from the date the educational plan is approved. Licensee agrees to comply with any educational recommendations, practice modifications, and timelines set forth by CPEP. Licensee agrees to bear all costs associated with the approved education plan and any post-education evaluation. Any educational mentor must be pre-approved by CPEP and the Board's Medical

| 1 | Director. Licensee agrees to sign all necessary releases to allow full communication and |
|----|---|
| 2 | exchange of documents and reports between the Board, CPEP, and any mentors. Licensee |
| 3 | agrees to keep the Board apprised of his compliance with the CPEP education plan throughout its |
| 4 | duration. |
| 5 | 4.3 Licensee agrees to provide the Board with written proof from CPEP upon |
| 6 | successful completion of the approved education plan, including successful completion of any |
| 7 | post-education evaluation, as defined above. |
| 8 | 4.4 Licensee must inform the Compliance Section of the Board of any and all practice |
| 9 | sites, as well as any changes in practice address(es), employment, or practice status within 10 |
| 10 | business days. Additionally, Licensee must notify the Compliance Section of any changes in |
| 11 | contact information within 10 business days. |
| 12 | 4.5 Licensee agrees to obey all federal and Oregon State laws and regulations |
| 13 | pertaining to the practice of medicine. |
| 14 | 4.6 Licensee agrees that any violation of the terms of this Agreement constitutes |
| 15 | grounds to take disciplinary action under ORS 677.190(17). |
| 16 | 4.7 Licensee agrees that this Agreement becomes effective the date it is signed by the |
| 17 | Board Chair. |
| 18 | IT IS SO STIPULATED THIS 30 day of Sept, 2019. |
| 19 | IT IS SO STIPOLATED THIS |
| 20 | |
| 21 | MICHAEL AARON LAURIE, MD |
| 22 | IT IS SO ORDERED THIS 3 day of Why, 2019. |
| 23 | |
| 24 | OREGON MEDICAL BOARD State of Oregon |
| 25 | Orace of Ocedon |
| 26 | K. DEAN GUBLER, DO |
| 27 | BOARD CHAIR |

Page 3 - CORRECTIVE ACTION AGREEMENT - Michael Astron Laurie, MD

| 1 | BEFORE THE | | |
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| 2 | OREGON MEDICAL BOARD | | |
| 3 | STATE OF OREGON | | |
| 4 5 | In the Matter of | | |
| 6 | JOHN MELVIN PETERSON, MD STIPULATED ORDER LICENSE NO. MD156447 | | |
| 7 |) | | |
| 8 | 1. | | |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, | | |
| 10 | regulating and disciplining certain health care providers, including physicians, in the State of | | |
| 11 | Oregon. John Melvin Peterson, MD (Licensee) is a licensed physician in the State of Oregon. | | |
| 12 | 2. | | |
| 13 | On June 20, 2017, the Board opened an investigation after receiving credible information | | |
| 14 | regarding Licensee's possible violation of the Medical Practice Act. | | |
| 15 | 3. | | |
| 16 | Licensee and the Board desire to settle this matter by the entry of this Stipulated Order. | | |
| 17 | Licensee understands that he has the right to a contested case hearing under the Administrative | | |
| 18 | Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a | | |
| 19 | contested case hearing and any appeal therefrom by the signing of this Order in the Board's | | |
| 20 | records. Licensee neither admits nor denies, but the Board finds that Licensee engaged in | | |
| 21 | conduct that violated the Medical Practice Act, to wit: ORS 677.190(1)(a), unprofessional or | | |
| 22 | dishonorable conduct, as defined in ORS 677.188(4)(a). Licensee understands that this Order is | | |
| 23 | a public record and is a disciplinary action that is reportable to the National Practitioner Data | | |
| 24 | Bank and the Federation of State Medical Boards. | | |
| 25 | 4. | | |
| 26 | Licensee and the Board agree that the Board will close this investigation and resolve this | | |
| 27 | matter by entry of this Stipulated Order, subject to the following conditions: | | |

| 1 | 4.1 Licensee retires his Oregon medical license while under investigation. |
|----|--|
| 2 | 4.2 Licensee must obey all Federal and Oregon State laws and regulations pertaining |
| 3 | to the practice of medicine. |
| 4 | 4.3 Licensee stipulates and agrees that any violation of the terms of this Order shall |
| 5 | be grounds for further disciplinary action under ORS 677.190(17). |
| 6 | 5. |
| 7 | This Order becomes effective the date it is signed by the Board Chair. |
| 8 | |
| 9 | IT IS SO STIPULATED this 16th day of September 2019. |
| 10 | |
| 11 | IOUDI MELEDICONI MD |
| 12 | JOHN MELVIN PETERSON, MD |
| 13 | IT IS SO ORDERED this day of 2019 |
| 14 | |
| 15 | OREGON MEDICAL BOARD State of Oregon |
| 16 | |
| 17 | K. DEAN GUBLER, DO |
| 18 | Board Chair |
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| 1 | BEFORE THE | |
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| 2 | OREGON MEDICAL BOARD | |
| 3 | STATE OF OREGON | |
| 4 5 6 7 | In the Matter of JUSTIN DERIK STERETT, MD LICENSE NO. MD175101 STIPULATED ORDER) | |
| 8 | 1. | |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, | |
| 10 | regulating and disciplining certain health care providers, including physicians, in the State of | |
| 11 | Oregon. Justin Derik Sterrett, MD (Licensee) holds an inactive license to practice medicine in | |
| 12 | the State of Oregon. | |
| 13 | 2. | |
| 14 | On July 6, 2016, Licensee entered into an Interim Stipulated Order with the Board in | |
| 15 | which he agreed to voluntarily limit his practice to military practice only. On September 6, | |
| 16 | 2019, the Board issued a Second Amended Complaint and Notice of Proposed Disciplinary | |
| 17 | Action (Notice) in which the Board proposed taking disciplinary action against Licensee by | |
| 18 | imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to | |
| 19 | include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS | |
| 20 | 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) | |
| 21 | unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a) any conduct or | |
| 22 | practice contrary to recognized standards of ethics of the medical profession, and any conduct or | |
| 23 | practice which does or might constitute a danger to the health or safety of a patient or the public; | |
| 24 | ORS 677.188(4)(b) willful performance of any medical treatment which is contrary to acceptable | |
| 25 | medical standards, and ORS 677.188(4)(c) failing to obtain consultations to meet the standard of | |
| 26 | care, and utilizing medical service for diagnosis or treatment which is or may be considered | |
| 27 | inannonriate or unnecessary: and ORS 677 190(13) gross or reneated acts of negligence | |

1 3. 2 Licensee and the Board desire to settle this matter by entry of this Stipulated Order. 3 Licensee understands that he has the right to a contested case hearing under the Administrative 4 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the 5 right to a contested case hearing and any appeal therefrom by the signing of and entry of this 6 Order in the Board's records. Licensee neither admits nor denies, but the Board finds that 7 Licensee engaged in the conduct described in the September 6, 2019, Notice and that this 8 conduct violated ORS 677.190(1)(a), as defined by ORS 677.188(4)(a), ORS 677.188(4)(b), and 9 ORS 677.188(4)(c); and ORS 677.190(13). Licensee understands that this Order is a public 10 record and is a disciplinary action that is reportable to the National Data Bank and the Federation 11 of State Medical Boards. 12 4. 13 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order 14 subject to the following terms and conditions: Licensee surrenders his Oregon medical license while under investigation. 15 4.1 4.2 16 Licensee must pay a civil penalty of \$5,000 within 180 days from the effective 17 date of this Order. Licensee may make payments, as long as no payment, excepting the final 18 payment, is less than \$100. 19 4.3 The Interim Stipulated Order of July 6, 2017, terminates effective the date the 20 Board Chair signs this Order. 21 4.4 Licensee stipulates and agrees that this Order becomes effective the date it is 22 signed by the Board Chair. 23 4.5 Licensee must obey all federal and Oregon state laws and regulations pertaining 24 to the practice of medicine. 25 111 26 111 27 111

| 1 | 4.5 | Licensee stipulates and agrees that any violation of the terms of this Order shall |
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| 2 | be grounds for | or further disciplinary action under ORS 677.190(17). |
| 3 | | |
| 4 | | IT IS SO STIPULATED THIS 26 th day of September, 2019. |
| 5 | | |
| 6 | | WSTIN DERIK STERETT, MD |
| 7 | | IT IS SO ORDERED THIS 30 day of Atoku, 2019. |
| 8 | | OREGON MEDICAL BOARD |
| 9 | | State of Oregon |
| 10 | | K. DEAN GUBLER, DO |
| 11 | | BOARD CHAIR |
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| 1 | BEFORE THE | | |
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| 2 | OREGON MEDICAL BOARD | | |
| 3 | STATE OF OREGON | | |
| 4 | In the Matter of) | | |
| 5 | JANA MARIE VAN AMBURG, MD) STIPULATED ORDER | | |
| 6 | LICENSE NO. MD23515 | | |
| 7 | , | | |
| 8 | 1. | | |
| 9 | The Oregon Medical Board (Board) is the state agency responsible for licensing, | | |
| 10 | regulating and disciplining certain health care providers, including physicians, in the State of | | |
| 11 | Oregon. Jana Marie Van Amburg, MD (Licensee) is a licensed physician in the State of Oregon. | | |
| 12 | 2. | | |
| 13 | On September 9, 2019, the Board issued a Complaint and Notice of Proposed | | |
| 14 | Disciplinary Action in which the Board proposed to take disciplinary action by imposing up to | | |
| 15 | the maximum range of potential sanctions identified in ORS 677.205(2), to include the | | |
| 16 | revocation of license, a \$10,000 civil penalty per violation, and assessment of costs, against | | |
| 17 | Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or | | |
| 18 | dishonorable conduct, as defined in ORS 677.188(4)(a) any conduct or practice which does or | | |
| 19 | might constitute a danger to the health or safety of a patient or the public; and ORS 677.190(13) | | |
| 20 | gross or repeated acts of negligence. | | |
| 21 | 3. | | |
| 22 | Licensee and the Board desire to settle this matter by entry of this Stipulated Order. | | |
| 23 | Licensee understands that she has the right to a contested case hearing under the Administrative | | |
| 24 | Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the | | |
| 25 | right to a contested case hearing and any appeal therefrom by the signing of and entry of this | | |
| 26 | Order in the Board's records. Licensee neither admits nor denies, but the Board finds that she | | |
| 27 | engaged in the conduct described in the September 9, 2019, Complaint and Notice of Proposed | | |
| 28 | Disciplinary Action and that this conduct violated ORS 677.190(1)(a) unprofessional or | | |

dishonorable conduct, as defined in ORS 677.188(4)(a) any conduct or practice which does or might constitute a danger to the health or safety of a patient or the public; and ORS 677.190(13) gross or repeated acts of negligence. Licensee understands that this Order is a public record and is a disciplinary action that is reportable to the National Practitioner Databank 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 complete the existing PACE education plan in its entirety, with the exception of the follow-up PULSE survey, to include any recommendations made by PACE for follow-up or post-plan education within twelve months from the effective date of this Order.
- 4.2 Within six months of the effective date of this Order, Licensee must complete a documentation course that has been pre-approved by the Board's Medical Director.
- 4.3 Licensee must not perform hepatobiliary surgery prior to completing additional training that has been pre-approved by the Board's Medical Director.
- 4.4 Upon Licensee's return to performing surgery in a hospital or ambulatory surgery center, Licensee must, at her own expense, enter into an agreement with a board-certified general surgeon who has been pre-approved by the Board's Medical Director to serve as her surgical mentor. Licensee must meet with the approved mentor at least twice a month, and the mentor must review, on an ongoing basis, at least 20% of charts for patients who underwent any operative procedure performed by Licensee. The mentor is to provide quarterly written reports to the Board on Licensee's ability to safely and competently practice medicine. The reports shall include the types of surgery reviewed and any complications which occurred. Any request for modification of this term must be accompanied by a written recommendation for modification from the mentor. Mentoring and reporting shall continue until Licensee is notified in writing by the Board that this term has been fulfilled.
- 4.5 At the discretion of the Board or its designees, random, not notice chart audits and office visits may be conducted by Board designees.

| 1 | 4.6 L | licensee must inform the Compliance Section of the Board of any and all practic |
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| 2 | sites, as well as | any changes in practice address(es), employment, or practice status within 10 |
| 3 | business days. | Additionally, Licensee must notify the Compliance Section of any changes in |
| 4 | contact informat | tion within 10 business days. |
| 5 | 4.7 L | icensee must obey all federal and Oregon state laws and regulations pertaining |
| 6 | to the practice o | f medicine. |
| 7 | 4.8 L | icensee stipulates and agrees that any violation of the terms of this Order shall |
| 8 | be grounds for fi | urther disciplinary action under ORS 677.190(17). |
| 9 | 4.9 L | icensee stipulates and agrees that this Order becomes effective the date it is |
| 10 | signed by the Bo | |
| 11 | I | r is so stipulated this 26 day of September, 2019. |
| 12 | | (1) |
| 13 | | JANA MARIE VAN AMBURG, MD |
| 14 | | JANA MARIE VAN AMBURG, MD |
| 15 | | r is so ordered this 3rd day of October 2019. |
| 16 | [7] | A IS SO ORDERED THIS day of |
| 17 | | OREGON MEDICAL BOARD |
| 18 | | State of Oregon |
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| 20 | | K. DEAN GUBLER, DO |
| 21 | | BOARD CHAIR |
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1 BEFORE THE 2 OREGON MEDICAL BOARD 3 STATE OF OREGON 4 In the Matter of 5 STIPULATED ORDER KENT RAY WALKER, DO LICENSE NO. DO20295 6 7 1. 8 9 The Oregon Medical Board (Board) is the state agency responsible for licensing, 10 regulating and disciplining certain health care providers, including osteopathic physicians, in the 11 State of Oregon. Kent Ray Walker, DO (Licensee) is a licensed osteopathic physician in the 12 State of Oregon. 13 2. 14 On April 23, 2019, the Board issued a Complaint and Notice of Proposed Disciplinary 15 Action in which the Board proposed taking disciplinary action by imposing up to the maximum 16 range of potential sanctions identified in ORS 677.205(2), that may include the revocation of 17 license, a \$10,000 civil penalty per violation, and assessment of costs, against Licensee for 18 violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or 19 dishonorable conduct, as defined in ORS 677.188(4)(a) any conduct or practice contrary to 20 recognized standards of ethics of the medical profession or any conduct, or practice which does 21 or might constitute a danger to the health or safety of a patient or the public, and ORS 22 677.188(4)(c) administration of unnecessary treatment, or otherwise utilizing medical service for 23 diagnosis or treatment which is or may be considered inappropriate or unnecessary; ORS 24 677.190(13) gross or repeated acts of negligence; ORS 677.190(17) willful violation of any rule 25 adopted by the Board, specifically OAR 847-015-0010, or willful violation of any Board order, 26 specifically the Stipulated Order dated April 6, 2017; and ORS 677.190(24) prescribing 27 controlled substances without following accepted procedures for examination of patients, or 28

prescribing controlled substances without following accepted procedures for record keeping.

Licensee is a family medicine physician. Licensee has a history of past Board

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disciplinary actions, to include a Stipulated Order, dated April 6, 2017, which placed Licensee on

4 probation with certain conditions.

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 and entry of this Order in the Board's records. Licensee neither admits nor denies, but the Board finds that he engaged in conduct described in the April 23, 2019, Complaint and Notice of Proposed Disciplinary Action and that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a) any conduct or practice contrary to recognized standards of ethics of the medical profession or any conduct, or practice which does or might constitute a danger to the health or safety of a patient or the public, and ORS 677.188(4)(c) administration of unnecessary treatment, or otherwise utilizing medical service for diagnosis or treatment which is or may be considered inappropriate or unnecessary; ORS 677.190(13) gross or repeated acts of negligence; ORS 677.190(17) willful violation of any rule adopted by the Board, specifically OAR 847-015-0010, or willful violation of any Board order, specifically the Stipulated Order dated April 6, 2017; and ORS 677.190(24) 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 National Practitioner Data Bank and the Federation of State Medical Boards.

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

5.

5.1 Licensee is reprimanded.

less than \$100.

- 5.3 Licensee is placed on probation for a period of five years and shall 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. Additionally, at the Board's discretion, interviews may be held electronically 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 maintenance of the equipment and technology necessary for the electronic meetings to occur. Licensee will be notified if and when such meetings are scheduled in lieu of an in-person appearance. This term will be held in abeyance as long as Licensee's license status in Oregon does not allow for the practice of medicine in Oregon.
- 5.4 Licensee must not prescribe any stimulants to any Oregon patient, with the exception of patients who have been diagnosed with ADD or ADHD by a psychiatrist or psychologist, and the patient is monitored by the diagnosing provider.
- 5.5 The Stipulated Order of April 6, 2017, terminates effective the date the Board Chair signs this Order. Certain components of the terminated Order are incorporated as terms 5.6 through 5.9 of this Order as they apply to Oregon patients and Licensee's Oregon practice.
- 5.6 Licensee must not prescribe to Oregon patients in excess of a morphine equivalent dose (MED) of 90 in the treatment of chronic pain and must not prescribe in excess of a MED of 50 for the treatment of acute pain. 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. Licensee may continue to treat chronic pain for patients who are currently enrolled in hospice or have a life expectancy of less than six months. Licensee must certify on the written prescription that the patient is a hospice patient.

1 5.7 For current Oregon patients or those transferred to Licensee's care with an MED 2 over 90, Licensee must taper the prescribed MED to 90 or less within 90 days. 3 5.8 Licensee must not concomitantly prescribe Schedule II medications with muscle 4 relaxants (Schedule IV) or benzodiazepines (Schedule IV) to Oregon patients. Licensee may 5 continue to prescribe Schedule II medications with muscle relaxants or benzodiazepines to 6 Oregon patients who are currently enrolled in hospice or have a life expectancy of less than six 7 months. Licensee must certify on the written prescription that the patient is a hospice patient. 8 5.9 For current Oregon patients or those transferred to Licensee's care who are 9 currently being prescribed Schedule II medications with muscle relaxants or benzodiazepines, 10 Licensee must taper, and eventually wean the patients from the muscle relaxants and 11 benzodiazepines within 90 days. 12 5.10 Licensee's Oregon medical practice and charts are subject to random audits. 13 5.11 Licensee must inform the Compliance Section of the Board of any and all practice 14 sites, as well as any changes in practice address(es), employment, or practice status within 10 15 business days, Additionally, Licensee must notify the Compliance Section of any changes in 16 contact information within 10 business days. 17 Licensee stipulates and agrees that this Order becomes effective the date it is 18 signed by the Board Chair. 19 Licensee must obey all federal and Oregon state laws and regulations pertaining to the practice of medicine. 20 111 21 111 22 23 111 24 111 25 111 111 26 27 111 111 28

| 1 | 5.14 | Licensee stipulates and agrees that any violation of the terms of this Order shall |
|----|---------------|--|
| 2 | be grounds fo | or further disciplinary action under ORS 677.190(17). |
| 3 | | |
| 4 | | IT IS SO STIPULATED THIS 18 day of September, 2019. |
| 5 | | |
| 6 | | KENT RAY WALKER, DO |
| 7 | | |
| 8 | | The state of the s |
| 9 | | OREGON MEDICAL BOARD State of Oregon |
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| 11 | | K. DEAN GUBLER, DO |
| 12 | | BOARD CHAIR |
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