Oregon Medical Board

BOARD ACTION REPORT

July 15, 2013

The information contained in this report summarizes new, interim, and final actions taken by the Oregon Medical Board between June 16, 2013 and July 15, 2013.

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 Corrective Action Agreements and Consent Agreement 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 a Service Request Form (http://egov.oregon.gov/BME/PDFforms/VerDispMalFillin.pdf) found under the Licensee Information Request Form 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.

*Anderson, John Michael Jeremy, DO; DO26732; Hermiston, OR

On July 11, 2013, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's April 5, 2013, Corrective Action Agreement.

*Baskerville, Mark John, MD; MD23614; Portland, OR

On July 12, 2013, the Board issued an Order Modifying Stipulated Order. This Order modifies Licensee's April 9, 2009, Stipulated Order, allowing Licensee to utilize an institutional DEA license.

*Battey, Richard Roy, MD; MD18143; Grants Pass, OR

On July 11, 2013, 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; fines Licensee \$7,500; subjects Licensee's practice to no-notice audits; requires Licensee to obtain a physician mentor; requires that a chaperone be present when treating females aged 16 or over; and prohibits Licensee from dating patients and treating friends or employees.

*Borland, Duncan Blair, DO; DO23780; Portland, OR

On July 11, 2013, the Board issued an Order Terminating Corrective Action Order. This Order terminates Licensee's April 18, 2002, Corrective Action Order.

Cornwall, Marcus Homer, DO; DO23052; Milwaukie, OR

On July 11, 2013, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to enroll in the Center for Personalized Education for Physicians (CPEP) program and complete any educational plan designed by the CPEP program.

Coyne, Kelly Shawn, PA; Applicant; Portland, OR

On July 11, 2013, Applicant entered into a Consent Agreement with the Board. In this Agreement, Applicant agreed to practice under the personal supervision of his supervising physician for 60 days and adhere to 100% chart review by his supervising physician for 60 days.

*Daniels, Wendee Doreen, LAc; AC00533; Bend, OR

On July 11, 2013, the Board issued a Default Order for unprofessional or dishonorable conduct for obtaining any fee by fraud or misrepresentation; and willfully disobeying any rule adopted by the Board, Board order, or failing to comply with a Board request. This Order revokes Licensee's acupuncture license and assesses a \$5,000 civil penalty.

*Dew, Leigh Anne, MD; MD21140; Gresham, OR

On July 11, 2013, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's June 2, 2011, Stipulated Order.

*Foster, William Austin, MD; MD154370; Medford, OR

On July 11, 2013, Licensee entered into a Stipulated Order with the Board. This Order retires Licensee's medical license while under investigation.

*Gates, Lawrence Keith, Jr., MD; MD23505; Salem, OR

On July 11, 2013, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's October 11, 2012, Corrective Action Agreement.

*Hasan, Shagufta Anbereen, MD; MD20989; Portland, OR

On June 28, 2013, Licensee entered into an Interim Stipulated Order to voluntarily cease the performance of any circumcisions pending the completion of the Board's investigation into her ability to safely and competently perform this procedure.

*Heen, Kimo Kaukaohu, PA; PA00808; Portland, OR

On July 11, 2013, Licensee entered into a Stipulated Order with the Board for unprofessional or dishonorable conduct; gross or repeated negligence in the practice of medicine; and willfully disobeying any Board rule. This Order reprimands Licensee, assesses a \$2,000 fine, and requires Licensee to complete pre-approved medical documentation and medical ethics courses.

*Kane, David Henach, MD; MD28773; Bend, OR

On July 12, 2013, Licensee entered into a Stipulated Order with the Board. This Order permanently retires Licensee's medical license.

Kemp, Judith Marie, MD; MD26365; Hillsboro, OR

On July 11, 2013, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete the educational recommendations from the CPEP assessment; establish a relationship with a Board approved preceptor who will submit quarterly reports to the Board; open her practice to a Board directed audit; and undergo a follow-up evaluation by a Board approved healthcare provider.

Leimert, Joseph Thompson, II, MD; MD12081; Portland, OR

On July 11, 2013, Licensee entered into a Consent Agreement with the Board. In this Agreement, Licensee agreed to practice under the supervision of a Board approved mentor and complete the American Board of Internal Medicine's Maintenance of Certification program in medical oncology.

*Lotina, Thomas Merrill, LAc; Applicant; Bend, OR

On July 11, 2013, the Board issued an Order Terminating Consent Agreement. This Order terminates Licensee's May 2, 2013, Consent Agreement.

*Moore, Patrick James, MD; MD10765; Yreka, CA

On July 11, 2013, Licensee entered into a Stipulated Order with the Board for practicing medicine in Oregon without a medical license; willfully violating any rule adopted by the Board or any Board order or any Board request; violating the Federal Controlled Substances Act; and prescribing controlled substances without a legitimate medical purpose and without following accepted procedures for examination of patients or for record keeping. This Order reprimands Licensee, surrenders Licensee's medical license, and assesses a \$10,000 fine (\$5,000 of which is held in abeyance).

Muller, Christopher Martin, MD; MD16728; Coos Bay, OR

On July 11, 2013, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete the PACE program course for medical record keeping.

Opheim, Georgia Nel, MD; MD13917; The Dalles, OR

On July 11, 2013, Licensee entered into a Consent Agreement with the Board. In this Agreement, Licensee agreed to practice under the supervision of a Board approved mentor for a minimum of 1040 clinical hours.

*Pliskin, Leslie Arthur, MD; MD12017; Lebanon, OR

On July 12, 2013, the Board issued an Order Terminating Stipulated Order. This Order terminates Licensee's January 13, 2011, Stipulated Order.

Ravuri, Rajesh, MD; MD23904; Coos Bay, OR

On July 11, 2013, Licensee entered into a Corrective Action Agreement with the Board. In this Agreement, Licensee agreed to complete pre-approved courses on prescribing for geriatric patients and medical documentation and undergo a minimum of ten chart audits performed by a consultant pre-approved by the Board's medical director.

*Rosencrantz, David Richard, MD; MD07089; Portland, OR

On July 11, 2013, the Board issued an Order Terminating Corrective Action Agreement. This Order terminates Licensee's July 12, 2012, Corrective Action Agreement.

Simpson, Jennifer Dale, MD; MD17884; Portland, OR

On July 12, 2013, Licensee entered into a Consent Agreement with the Board. In this Agreement, Licensee agreed to practice under a Board-approved mentor for three months and recertify with the American Board of Internal Medicine in rheumatology.

Sindo, Shauna Kyleigh, LAc; Applicant; Eugene, OR

On July 11, 2013, Applicant entered into a Consent Agreement with the Board. In this Agreement, Applicant agreed to complete a 20-hour mentorship with a Board approved clinical supervisor.

*Valenzuela, Eduardo Rodolfo, PA; PA161878; Westlake, OR

On July 11, 2013, Applicant entered into a Stipulated Order with the Board for unprofessional conduct; repeated negligence in the practice of medicine; willfully failing to comply with any Board statute or rule request; and prescribing controlled substances without following accepted procedures for examination of patients, or prescribing controlled substances without following accepted procedures for record keeping. This Order requires Applicant to re-certify with the NCCPA; requires that Applicant work under the direct supervision of a supervising physician pre-approved by the Board for twelve months; outlines chart review requirements for twelve months; and prohibits Applicant from treating himself or family members or any other patient outside of the clinical setting.

*Welker, Kenneth Jay, MD; MD22731; Lake Oswego, OR

On June 19, 2013, Licensee entered into an Interim Stipulated Order in which Licensee agreed to inform patients that they must have another physician or nurse practitioner as their primary provider and that he cannot act as such; refrain from changing or discontinuing medications prescribed by another provider; inform other practitioners of medications prescribed to a patient; and open his practice to no notice compliance inspections by the Board. This Order remains in effect pending the completion of the Board's investigation into Licensee's ability to safely and competently practice medicine.

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 THI	3	
2	OREGON MEDICAL	BOARD	
3	STATE OF OREG	JON	
4	In the Matter of		
5	,	ER TERMINATI	
6	ANDERSON, DO) COF LICENSE NO. DO26732)	RECTIVE ACTION	ON AGREEMENT
7	, and the second		
8	1.		
9	On April 5, 2012, John Michael Jeremy Anders	on, DO (Licensee)	entered into a
10	Corrective Action Agreement with the Oregon Medical	Board (Board). T	his Agreement placed
11	conditions on Licensee's Oregon license. On April 17,	2013, Licensee su	bmitted a request this
12	Agreement be terminated.		
13	2.		
14 -	The Board has reviewed the documentation subn	nitted by Licensee	and has determined
15	that Licensee has successfully complied with all of the	terms of this Agree	ement. The Board
16	terminates the April 5, 2012, Corrective Action Agreen	nent, effective the	date this Order is
17	signed by the Board Chair.		
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19	IT IS SO ORDERED this 11 day	of July	, 2013.
20	OREGON	MEDICAL BOAI	RD
21	State of O	regon	
22	SIGNATUF	RE REDACTED	
23		л. мскімму, М	D
24	Board Cha	ıir	
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Page -1 $\ \ ORDER\ TERMINATING\ CORRECTIVE\ ACTION\ AGREEMENT$ — John Michael Jeremy Anderson, DO

1	BEFORE THE
2	OREGON MEDICAL BOARD
3	STATE OF OREGON
4	' In the Matter of)
5	j –
6	MARK JOHN BASKERVILLE, MD Ó ORDER MODIFYING LICENSE NO. MD23614 STIPULATED ORDER
7)
8	1.
9	On April 9, 2009, Mark John Baskerville, MD (Licensee) entered into a Stipulated Orde
0	with the Oregon Medical Board (Board). This Order placed Licensee on probation with certain
1	conditions. On June 14, 2013, Licensee submitted a written request asking the Board to
2	terminate Term 5.5 of this Order, which reads:
3	5.5 Licensee will immediately surrender his DEA registration (if he has not
4	already done so) and will not reapply for this without Board approval.
5	2.
6	Having fully considered Licensee's request, the Board modifies Term 5.5 of the April 9
7	2009, Stipulated Order to read:
8	5.5 Licensee will immediately surrender his DEA registration (if he has not already
9	done so) and will not reapply for this without Board approval. Licensee may utilize the
20	institutional DEA license of a facility in which he is practicing critical care medicine.
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23	111
4	///
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6	
7	111

1	This modification is effective the date this Order is signed by the Board Chair. All othe
2	terms of the April 9, 2009, Stipulated Order are unchanged and remain in full force and effect.
3	
4	IT IS SO ORDERED this 12th day of July , 2013.
5	OREGON MEDICAL BOARD
6	State of Oregon
7	SIGNATURES REDACTED
8	ROŒR M. MCKIMMY, MD Board Chair
9	Board Chan
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2	BEFORE THE
3	OREGON MEDICAL BOARD
4	STATE OF OREGON
5	In the Matter of)
6	RICHARD ROY BATTEY, MD STIPULATED ORDER LICENSE NO. MD18143
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. Richard Roy Battey, MD (Licensee) holds an active license to practice medicine in the
12	state of Oregon.
13	2,
14	On April 5, 2013, the Board issued a Complaint and Notice of Proposed Disciplinary
15	Action in regards to Licensee. In this document, the Board proposed to take disciplinary action
16	by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to
17	include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS
18	677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a)
19	unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a) and ORS 677.190(13
20	gross or repeated acts of negligence.
21	3.
22	Licensee is board certified in obstetrics and gynecology and practices at the Women's
23	Health Center of Southern Oregon in Grants Pass, Oregon. Licensee engaged in the following
24	acts and conduct that violated the Medical Practice Act:
25	3.1 Patient A, an adult female, first presented to Licensec as a patient in 1996 for
26	prenatal care. Licensec successfully delivered her baby by C-section in October of 1997. She
27	continued to present to Licensee on a recurring basis for regular gynecologic care. In July of
	PAGE I - STIPULATED ORDER - Richard Roy Battey, MD

- 2003, Licensee performed laser ablation of Patient A's cervix for cervical dysplasia, and in 1 2 March of 2004, Licensee conducted a colposcopy with biopsy. In April of 2004, Licensee performed a cervical conization on Patient A for severe dysplasia (cervical intraepithelial 3 4 neoplasm). Licensee subsequently treated Patient A for irregular menstrual bleeding and pelvic 5 pain. In May of 2007, Licensee performed a diagnostic laparoscopy on Patient A and excised a 6 2.5 cm hemorrhagic corpus luteum cyst with lysis of some adhesions. Licensee instructed Patient A "to return to office for annual exam." On June 10, 2007, Licensee wrote a letter to 7 8 Patient A's primary care physician stating that he had seen Patient A, that she was doing well, 9 and he was "now returning her back to your care," Licensee subsequently began to exchange personal e-mails and telephone calls with Patient A and met her outside of the clinic. These 10 11 social interactions quickly developed into a sexual relationship that continued from July of 2007 12 until January of 2008, which included trysts at the clinic where Licensee worked. In 2009, Patient A received a number of telephone calls and mail from Licensee's clinic reminding her of 13 14 her need for an annual gynecological exam and Pap smear. Licensee conducted an examination of Patient A on February 12, 2010, and wrote a progress note. Licensee told Patient A at that 15 16 time that she should discard any record of their past personal e-mails and that she should not 17 return to the clinic as a patient. By engaging in a sexual relationship with Patient A, Licensee violated the ethical principles for obstetricians and gynecologists, which states that: "Sexual 18 19 contact or a romantic relationship between a physician and a current patient is always unethical..." and "Sexual contact or a romantic relationship between a physician and a former 20 21 patient also may be unethical." 22 3.2 Licensee has engaged in sexual relationships with Patients B and C, both adult
- females, who were former patients at the time of his sexual encounters with them. Licensee's last clinical contact with Patient B occurred in early March of 2008 for an annual examination.
- 25 Licensee and Patient B entered into a sexual relationship at the end of March of 2008.
- 26 Licensee's last clinical contact with Patient C occurred in June of 2010 for follow-up for an

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PAGE 2 - STIPULATED ORDER - Richard Roy Battey, MD

abnormal Pap smear. Licensee and Patient C entered into a romantic relationship in July or 1 2 August of 2010, 3 3.3 By engaging in this conduct, Licensee displayed poor judgment and a lack of appreciation for professional boundaries and potential for misuse of physician power and 4 exploitation of patient emotions derived from the former relationship. 5 6 7 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 8 Procedures Act (Chapter 183 Oregon Revised Statutes), and fully and finally waives the right to 9 10 a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the 11 Board's records. Licensee admits that he engaged in the conduct described in paragraph 3, and that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined 12 by ORS 677.188(4)(a) and ORS 677.190(13) gross or repeated acts of negligence. Licensee 13 14 understands that this Order is a public record and is a disciplinary action that is reportable to the 15 Data Bank and the Federation of State Medical Boards. 16 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order 17 18 subject to the following terms: 19 5.1 Licensee is reprimanded. 20 Licensee's medical practice is subject to no-notice audits by the Board's 5.2 21 designees. 22 Licensee must affiliate with a senior physician mentor who is pre-approved by the 5.3 Board's Medical Director, and meet with this mentor at least every three months to discuss 23 elinical situations and boundary issues. The mentor must submit semi-annual written reports to 24 25 the Board. 26 5.4 Licensee must never date a current or former patient. 27 111

PAGE 3 - STIPULATED ORDER - Richard Roy Balley, MD

1	5,5	Licensee must not treat or take new patients who are either social friends or
2	employees.	
3	5.6	Licensee will not see any female patient 16 years of age or older without a
4	medically tra	ined chaperone being present throughout the course of the examination or
5		he presence of the chaperone will be immediately documented in the patient chart.
6		ne must not be related to Licensee,
7	5.7	Licensee must pay a civil penalty of \$7,500, which must be paid in full no later
8	thán 90 days	from the date this Order is signed by the Board Chair,
9	5.8	The Interim Stipulated Order of January 27, 2012, is terminated effective the date
10	this Order is:	signed by the Board Chair.
11	5,9	Licensee stipulates and agrees that any violation of the terms of this Order shall
12	be grounds fo	or further disciplinary action under ORS 677.190(17).
13		
14		IT IS SO STIPULATED this day of
15		,
16		SIGNATURE REDACTED RICHARD ROY BATTEY, MID.
17		
18		IT IS SO ORDERED this 11th day of JUy 2013.
19		
20		OREGON MEDICAL BOARD
21		SIGNATURE REDACTED
22		ROGER MCKIMMY, MD
23		Bourd Chair
24		
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PAGE 4 - STIPULATED ORDER - Richard Roy Battey, MD

1	BEFORE THE	
2	OREGON MEDICAL BOARD	
3	STATE OF OREGON	
4	In the Matter of	
5	DUNCAN BLAIR BORLAND, DO) ORDER TERMINATING LICENSE NO. DO23780) CORRECTIVE ACTION ORDER	
6	LICENSE NO. DO23780) CORRECTIVE ACTION ORDER)	
7		
8	1.	
9	On April 18, 2002, Duncan Blair Borland, DO (Licensee) entered into a Corrective	
10	Action Order with the Oregon Medical Board (Board). This Order placed conditions on	
11	Licensee's Oregon license. On March 28, 2013, Licensee submitted a request to terminate this	
12	Order.	
13	2.	
14	The Board has reviewed the information submitted by Licensee and has determined that	
15	Licensee has complied with all of the terms of this Order. The Board terminates the April 18,	
16	2002, Corrective Action Order, effective the date this Order is signed by the Board Chair.	
17		
18	IT IS SO ORDERED this 11 day of Juy , 2013.	
19	OREGON MEDICAL BOARD	
20	State of Oregon	
21	SIGNATURE REDACTED	
22	ROGER M. MCKIMMY, MD	
23	Board Chair	
24		
25		
26		
27		

Page -1 ORDER TERMINATING CORRECTIVE ACTION ORDER - Duncan Blair Borland, DO

1	BEFORE THE
2	OREGON MEDICAL BOARD
3	STATE OF OREGON
4	In the Matter of)
5	WENDEE DOREEN DANIELS, LAc) DEFAULT ORDER
6	LICENSE No. AC00533)
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 acupuncturists, in the state of
11	Oregon. Wendee Doreen Daniels, LAc (Licensee) holds a lapsed license to practice acupuncture
12	in the state of Oregon.
13	.2.
14	2.1 On April 5, 2013, the Board issued a Complaint and Notice of Proposed
15	Disciplinary Action (Notice), in which the Board proposed taking disciplinary action by
16	imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to
17	include the revocation of license, a \$10,000 civil penalty, and assessment of costs, pursuant to
18	ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS
19	677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a); ORS
20	677.190(4) obtaining any fee by fraud or misrepresentation; and ORS 677.190(17) willfully
21	disobeying any provision of ORS chapter 677, any rule adopted by the Board, Board order, or
22	failing to comply with a Board request pursuant to ORS 677.320.
23	2.2 The Board's Notice designated the Board's file on this matter as the record for
24	purposes of a default order and granted Licensee an opportunity for a hearing, if requested in writing
25	within 21 calendar days from the date the Notice was mailed. Licensee was also informed that her
26	request for a hearing must be received by the Board on or before April 30, 2013. Licensee has not
27	submitted a written request for a hearing, and more than 21 days have elapsed.

1 2.3 As a result, Licensee has waived her right to participate in a contested case hearing 2 and now stands in default. The Board elects in this case to designate the record of proceeding to 3 date, which consists of Licensee's file with the Board, as the record for purposes of proving a 4 prima facie case, pursuant to ORS 183.417(4) 5 3. 6 NOW THEREFORE, after considering the Board's file relating to this matter, the Board 7 enters the following Order. 8 **FINDINGS OF FACT** 9 3.1 Licensee's acupuncture license lapsed on July 1, 2010. Licensee submitted her 10 original application for licensure with this Board in October of 2000. In a letter dated October 11 27, 2000, Licensee was informed that "all permanently licensed Acupuncturists are required to 12 pay biennial registration fees." Furthermore, that "All Acupuncturists must renew their license on June 30th of every even-numbered year." In a letter dated April 16, 2001, the Board informed 13 14 Licensee that her application to practice as an acupuncturist was approved, effective April 13, 15 2001. The letter also stated the following: "Your license must be renewed biennially on July 1st 16

2001. The letter also stated the following: "Your license must be renewed biennially on July 1st of every even year." Licensee successfully renewed her acupuncture license in 2002, 2004, 2006 and 2008. Licensee failed, however, to submit a renewal application by the due date of June 30, 2010, which automatically changed her license to lapsed status, effective July 1, 2010. On October 29, 2010, the Board received a reactivation application from Licensee requesting an active license status. As part of her reactivation application, Licensee included a letter that addressed her work status, as follows: "From 2/9/08 until 4/30/2010 I worked part-time as an Acupuncturist and part-time as a stay at home mom, From 5/1/2010 until the present time, I have

required for the reactivation of her license within one year as required by Board rule, and the reactivation application expired. Subsequently, Licensee submitted a second reactivation

been a full time stay at home mom." This statement is not accurate in that she continued to

practice after her license had lapsed. Licensee failed to submit all documents and information

application on February 2, 2012. On this application, Licensee listed "stay at home mom" as her

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- 1 employment from May 1, 2010, to present. This application expired on February 2, 2013. The
- 2 Board opened an investigation after receiving credible information that Licensee practiced
- 3 acupuncture after her license had lapsed.
- 4 3.2 The Board's investigation reveals that Licensee continued to practice acupuncture
- 5 at the "Ancient Traditions Acupuncture Clinic" in Bend, Oregon, subsequent to the lapse of her
- 6 license on July 1, 2010. All licensees are required to renew their professional license with the
- 7 Oregon Medical Board on a biennial basis. Licensee failed to complete her reactivation
- 8 applications from 2010 and 2012.
- 9 3.3 The investigative and licensing staff of the Board made repeated attempts to
- 10 contact Licensee by phone, e-mail, and U.S. Postal Service, inviting her to the Board's offices
- 11 for a confidential interview and requesting submission of documents for the investigation,
- 12 pursuant to ORS 677.320. Licensee failed to respond to these communications in a timely
- manner other than an e-mail to a Board investigator on August 8, 2012, in which she provided a
- 14 current mailing address, provided some information regarding her current billing policy, and
- admitted to practicing acupuncture without an active license. Licensee's statements reflect that
- 16 Licensee was practicing acupuncture on multiple patients without an active license and was
- 17 billing for services rendered.
- For the Board's investigation, Licensee was sent a letter on May 16, 2012,
- 19 requesting that she respond to the allegations of the current investigation and provide a copy of
- 20 her treatment records and billing documents, with a deadline of June 22, 2012. Licensee
- 21 requested extensions, due to personal family matters, by phone on June 21, 2012 and July 10,
- 22 2012. On July 24, 2012, she was requested by e-mail for a response and an update on her
- practice. On July 25, 2012, Licensee sent an e-mail to the Board, acknowledging the extensions
- and agreed to submit documents by the end of the week. On July 25, 2012, she was noticed by
- e-mail with a final due date of August 3, 2012. Licensee submitted an e-mail to the Board on
- August 8, 2012, with brief information relevant to the investigation and her mailing address. She
- was asked by e-mail on August 9, 2012, to provide documents for the Board's investigation, to

1 include a copy of her charts and insurance billing records on multiple patients. Subsequently, 2 repeated requests were made to Licensee by e-mail, phone, and letters in January 2013 to provide 3 these documents, contact the Board, and meet with the Board investigator. On February 5, 2013. 4 the Board received a brief e-mail from Licensee, apologizing for the delays and for not 5 responding to letters because she never received them. She was asked on February 6, 2013, by e-6 mail to submit a correct mailing address. She submitted an e-mail to the Board on February 12. 7 2013, with a contact address and current phone number. On February 19, 2013, the Board 8 received a packet mailed by Licensee with a copy of her treatment records on multiple patients 9 and her billings to an Oregon insurance company, PacificSource Health Plans. 10 3.5 Licensee submitted 1,002 claims to PacificSource Health Plans, in regard to 11 patients whom Licensee treated in Oregon from 2010 through January 2012. Licensee's total 12 amount claimed for services billed during this time was \$47,785 for her care of 27 patients 13 covered by PacificSource. Licensee received payment of \$11,639.46 from PacificSource for 14 acupuncture services rendered. This record of submitted claims reflects that Licensee was 15 practicing acupuncture without a license in the latter half of 2010, throughout 2011, and early 16 2012, as well as submitting claims for payment to a health insurance carrier for her care of 17 patients. 18 4. 19 CONCLUSIONS OF LAW 20 4.1 By performing acupuncture on patients in Oregon without an active license, 21 Licensee violated ORS 677,765. 22 4.2 Licensee failed to submit a timely application to renew her license, in violation of 23 OAR 847-070-0039; failed to notify the Board in writing within 30 days of any change in 24 residence address, practice location, or mailing address, in violation of OAR 847-008-0060; and 25 failed to timely respond to requests by Board staff to appear for an interview and to provide 26 information, in violation of ORS 677.320(2).

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1	4.3 Licensee's conduct, as described above, breached well recognized standards of
. 2	conduct and ethics of her healthcare profession as well as rules promulgated by this Board. The
3	Board concludes that Licensee's conduct violated ORS 677.190(1)(a) unprofessional or
4	dishonorable conduct, as defined by ORS 677.188(4)(a); ORS 677.190(4) obtaining any fee by
5	fraud or misrepresentation; and ORS 677.190(17) willfully disobeying any provision of ORS
6	chapter 677, any rule adopted by the Board, Board order, or failing to comply with a Board
7	request pursuant to ORS 677.320. Based upon its examination of the record in this case, the
8	Board finds that each alleged violation of the Medical Practice Act is supported by reliable,
9	probative and substantial evidence. It is also a matter of aggravation that Licensee practiced
10	acupuncture without a license and submitted claims for payment to a health insurance carrier for
11	the services that she rendered.
12	5.
13	ORDER
14	IT IS HEREBY ORDERED THAT the license of Wendee Doreen Daniels, LAc, to
15	practice acupuncture, is revoked and she is assessed a \$5,000 civil penalty.
16	. In
17	DATED this 11th day of Juy, 2013.
18	OREGON MEDICAL BOARD
19	State of Oregon
20	SIGNATURE REDACTED
21	ROGER MCKIMMY, MD
22	BOARD CHAIR
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27.	

Page 5 - DEFAULT ORDER - WENDEE DOREEN DANIELS, LAC

1	BEFORE THE
2	OREGON MEDICAL BOARD
3	STATE OF OREGON
4	In the Matter of)
5	LEIGH ANNE DEW, MD) ORDER TERMINATING
6	LICENSE NO. MD21140) STIPULATED ORDER)
7	
8	1.
9	On June 2, 2011, Leigh Anne Dew, MD (Licensee) entered into a Stipulated Order with
10	the Oregon Medical Board (Board). This Order placed conditions on Licensee's Oregon medical
11	license. On March 14, 2013, Licensee submitted a written request to terminate this Order.
12	2.
13	Having fully considered Licensee's request and her successful compliance with the terms
14	of this Order, the Board terminates the June 2, 2011, Stipulated Order, effective the date this
15	Order is signed by the Board Chair.
16	
17	IT IS SO ORDERED this 11th day of July , 2013.
18	OREGON MEDICAL BOARD
19	State of Oregon
20	SIGNATURE REDACTED
21	ROGER M. MCKIMMY, MD
22	Board Chair
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1	BEFORE THE
2	OREGON MEDICAL BOARD
3	STATE OF OREGON
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5	
6	In the Matter of)
7	WILLIAM AUSTIN FOSTER, MD STIPULATED ORDER LICENSE NO, MD154370
8)
9	1.
10	The Oregon Medical Board (Board) is the state agency responsible for licensing,
11	regulating and disciplining certain health care providers, including physicians, in the state of
12	Oregon. William Austin Foster, MD (Licensee) is a licensed physician in the State of Oregon.
13	2.
14	The Board received a report concerning the Licensee's ability to safely practice medicine
15	that resulted in the Board initiating an investigation.
16	3.
17	Licensee and the Board desire to settle this matter by the entry of this Stipulated Order.
18	Licensee understands that he has the right to a contested case hearing under the Administrative
19	Procedures Act (Chapter 183 Oregon Revised Statutes), and fully and finally waives the right to
20	a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the
21	Board's records. The Board agrees to close the current investigation and does not make a
22	finding in regard to any violation of the Medical Practice Act.
23	4.
24	In order to address the concerns of the Board, Licensee and the Board agree to enter into
25	this Stipulated Order subject to the following conditions:
26	4.1 Licensee will retire his Oregon medical license while under investigation and
27	cease practicing any form of medicine, effective the date the Board Chair signs this Order.

1	4.2 If Licensee should reapply for licensure in the State of Oregon, this investigation
2	will be re-opened. Licensee shall demonstrate competency and the ability to safely practice
3	medicine. Licensee recognizes that Board has sole discretion to grant or deny licensure.
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	Licensee understands that this Order is a public record and is a disciplinary action that is
8	reportable to the National DataBank and the Federation of State Medical Boards.
9	
10	
11	
12	IT IS SO STIPULATED this 14th day of May 2013.
13	
14	CICNATURE REPACTED
15	SIGNATURE REDACTED
16	WILLIAM AUSTIN FOSTER, MD
17	IT IS SO ORDERED this day of JULY 2013.
18	
19	OREGON MEDICAL BOARD State of Oregon
20	SIGNATURE REDACTED
21	ROGER M. MCKIMMY, MD
22	Board Chair
23	
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1	BEFORE THE	
2	OREGON MEDICAL BOARD	
3	STATE OF OREGON	
4	In the Matter of)	
5 LAWRENCE KEITH GATES, JR., MD) ORDER TER) LAWRENCE KEITH GATES, JR., MD) ORDER TERMINATING	
6	LICENSE NO. MD23505) CORRECTIVE ACTION AGREEMENT	
7		
8	1.	
9	On October 11, 2012, Lawrence Keith Gates, Jr., MD (Licensee) entered into a	
0	Corrective Action Agreement with the Oregon Medical Board (Board). This Agreement placed	
1	conditions on Licensee's Oregon license. On May 15, 2013, Licensee submitted a request that	
12	this Agreement be terminated.	
13	2.	
14	The Board has reviewed the documentation submitted by Licensee and has determined	
15	that Licensee has successfully complied with all of the terms of this Agreement. The Board	
6	terminates the October 11, 2012, Corrective Action Agreement, effective the date this Order is	
7	signed by the Board Chair.	
8		
9	IT IS SO ORDERED this Uha day of Thy , 2013.	
20	OREGON MEDICAL BOARD	
21	State of Oregon	
22	SIGNATURE REDACTED	
23	ROGER M. MCKIMMY, MD	
24	Board Chair	
25		
26		
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Page -1 $\ \ ORDER\ TERMINATING\ CORRECTIVE\ ACTION\ AGREEMENT$ — Lawrence Keith Gates, Jr., MD

		DEE	ODE	TIT
1				THE
2	OREGON MEDICAL BOARD		CAL BOARD	
3		STATE	OF (OREGON
4	In the Matte	r of)	
5		A ANBEREEN HASAN, MD)	INTERIM STIPULATED ORDER
6	LICENSE N	IO. MD20989)	
7			ŕ	
8			1.	
9	The Ore	egon Medical Board (Board) is	the	state agency responsible for licensing,
0	regulating and	disciplining certain health care	pro	viders, including physicians, in the state of
11	Oregon. Shagu	nfta Anbereen Hasan, MD (Lic	ense	e) is a licensed physician in the state of Oregon
12	who holds an a	ctive medical license.		
13			2.	
14	License	ee is a family practice physician	n, T	he Board received credible information
15	regarding Lice	nsee that resulted in the board i	initia	ating an investigation. The results of the
16	Board's investi	gation to date have raised cond	erns	s to the extent that the Board believes it
17	necessary that	Licensee agree to certain terms	unt	il the investigation is completed.
18			3.	
19	In orde	r to address the Board's conce	rn, L	icensee and the Board agree to the entry of this
20	Interim Stipula	ated Order, which will remain i	n efi	fect while this matter remains under
21	investigation, a	and provides that Licensee shal	l co	mply with the following conditions:
22	3.1	Licensee agrees to voluntarily	and	immediately cease performing any
23	circumcisions.			
24	3.2	Licensee understands that viol	atin	g any term of this Order will be grounds for
24	disciplinary ac	tion under ORS 677.190(17).		
25	3.3	Licensee understands this Ord	er b	ecomes effective the date she signs it.
26	111			

1	BEFORE THE
2	OREGON MEDICAL BOARD
3	STATE OF OREGON
4	
5	In the Matter of
б	KIMO KAUKAOHU HEEN, PA) STIPULATED ORDER LICENSE NO PA00808)
7	ý
8	1.
9	The Oregon Medical Board (Board) is the state agency responsible for licensing,
0	regulating and disciplining certain health care providers, including physician assistants, in the
1	state of Oregon. Kimo Kaukaohu Heen (Licensee) is a licensed physician assistant in the state of
12	Oregon.
13	2.
14	On February 6, 2013, 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), to include the revocation of license, a
17	\$10,000 civil penalty, and assessment of costs, pursuant to ORS 677.205 against Licensee for
18	violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or
19	dishonorable conduct, as defined by ORS 677.188(4)(a), (b) and (c); ORS 677.190(4) obtaining
20	any fee by fraud or misrepresentation; ORS 677.190(13) gross or repeated negligence in the
21	practice of medicine and ORS 677.190(17) willfully disobeying any provision of ORS chapter
22	677 or any Board rule.
23	3.
24	The Board opened a series of investigations in 2011 in regard to Licensee's supervising
25	physician, Vishal James Makker, MD, a neurosurgeon, after receiving credible information that
26	Dr. Makker engaged in unprofessional conduct and substandard care that included certain
27	surgical procedures that were medically unnecessary or never done; entering inaccurate

1 information into the medical charts of certain patients; and submitting inaccurate and fraudulent 2 billing. The Board concluded that Dr. Makker had violated the Medical Practice Act, to include 3 ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a), 4 (b) and (c); ORS 677.190(4) obtaining any fee by fraud or misrepresentation; and ORS 5 677.190(13) gross or repeated negligence in the practice of medicine. The Board concluded its 6 investigations of Dr. Makker by entering into a Stipulated Order with Dr. Makker that the Board 7 approved on October 11, 2012, in which Dr. Makker permanently surrendered his license to practice medicine while under investigation. Licensee's acts and conduct as a physician assistant 8 that violated the Medical Practice Act as he served as Dr. Makker's surgical assistant are set 9 forth in the Complaint and Notice of Proposed Disciplinary Action, dated February 6, 2013. 10 11 12 Licensee and the Board desire to settle this matter by entry of this Stipulated Order. 13 Licensee understands that he has the right to a contested case hearing under the Administrative 14 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the 15 right to a contested case hearing and any appeal therefrom by the signing of and entry of this 16 Order in the Board's records. Licensee neither admits or denies but the Board finds that 17 Licensee engaged in the conduct described in paragraph 3 above and that this conduct violated 18 the Medical Practice Act, ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined 19 by ORS 677.188(4)(a), (b) and (c); ORS 677.190(13) gross or repeated negligence in the practice of medicine and ORS 677.190(17) willfully disobeying any provision of ORS chapter 677 or any 20 21 Board rule. Licensee understands that this document is a public record and is a disciplinary 22 action that is reportable to the National DataBank and the Federation of State Medical Boards. 23 This Order becomes effective the date it is signed by the Board Chair. 24 5. 25 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order 26 subject to the following sanctions and terms: 27 5.1 Licensee is reprimanded.

Page 2 - STIPULATED ORDER - KIMO KAUKAOHU HEEN, PA

1	5.2 Licensee must pay a fine of \$2,000, payable in full within 6 months after the
2	signing of this Order by the Board Chair. Licensee may make payments on the full amount of
3	the fine, payments may not be less than \$250.
4	5.3 Within 12 months from the signing of this Order by the Board Chair, Licensee
5	must successfully complete a medical documentation and a medical ethics and professionalism
6	course that is pre-approved by the Board's Medical Director.
7	5.4 Licensee stipulates that he will obey all laws and regulations pertaining to the
8	practice of medicine.
9	5.5 Licensee stipulates and agrees that any violation of the terms of this Order shal
10	be grounds for further disciplinary action under ORS 677.190(17).
11	
12	IT IS SO STIPULATED this 30 day of April, 2013.
13	Olonia
14	SIGNATURE REDACTED
15	KIMO KAUKAOHU HEEN, PA
16	IT IS SO ORDERED this, day of, 2013.
17	OREGON MEDICAL BOARD
18	State of Oregon
19	SIGNATURE REDACTED
20	ROGER MCKIMMY, MD
21	Board Chair
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ł BEFORE THE OREGON MEDICAL BOARD 2 STATE OF OREGON 3 In the Matter of 4 5 DAVID HENACH KANE, MD LICENSE NO. MD28773 STIPULATED ORDER 6 7 1. 8 The Oregon Medical Board (Board) is the state agency responsible for licensing, 9 regulating and disciplining certain health care providers, including physicians, in the state of 10 Oregon, David Henach Kane, MD (Licensee) is a physician licensed to practice medicine in the 11 state of Oregon. 12 2. 13 The Board received credible information that prompted an investigation of Licensee's 14 self-prescribing, care of his family members, purchase of controlled substances, treatment of 15 16 chronic pain patients, and compliance with federal and state laws involving controlled substances. During the course of that investigation, the Board requested that Licensee withdraw 17 from practice pending the outcome of the investigation. Licensee signed an Interim Stipulated 18 Order, effective March 25, 2013, whereby he voluntarily withdrew from practice. 19 3. 20 Licensee and the Board desire to settle this matter by the entry of this Stipulated Order. 21 Licensee understands that he has the right to a contested case hearing under the Administrative 22 Procedures Act (Chapter 183 Oregon Revised Statutes), and fully and finally waives the right to 23 a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the 24 Board's records. Licensee neither admits nor denies that he engaged in the conduct described in 25 paragraph two. By entering into this Order, Licensee understands that although the Board makes 26 no finding at this time as to whether his conduct violated the Medical Practice Act, this Order is 27

a public record and is a reportable to The DataBank and the Federation of State Medical Boards.

1	4.	
2	Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order	
3	in which he permanently retires his medical license and the Board closes the current	
4	investigation, subject to the following conditions:	
5	4.1 Licensee permanently retires his license to practice medicine while under	
6	investigation, effective the date this Order is signed by the Board Chair.	
7	4.2 The Interim Stipulated Order of March 25, 2013, terminates effective the date the	
8	Board Chair signs this Order.	
9	4.3 Licensee stipulates and agrees that any violation of the terms of this Order shall	
10	be grounds for further disciplinary action under ORS 677.190(17).	
11	i	
12	IT IS SO STIPULATED this, day of, 2013.	
13	SIGNATURES REDACTED	
14		
15	DAVID HENACH KANE, MD	
16	IT IS SO ORDERED this 12th day of 14th, 2013.	
17	1	
18	OREGON MEDICAL BOARD State of Oregon	
19		
20	SIGNATURES REDACTED	
21	ROGHR M. MCKIMMY, MD Board Chair	
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1	BEFORE THE	
2	OREGON MEDICAL BOARD	
3	STATE OF OREGON	
4	In the Matter of	
5	THOMAS MERRILL LOTINA, LAc) ORDER TERMINATING	
6	LICENSE NO. AC00291) CONSENT AGREEMENT	
7		
8	1.	
9	On May 2, 2013, Thomas Merrill Lotina, LAc, (Licensee) entered into a Consent	
10	Agreement with the Oregon Medical Board (Board). This Agreement placed conditions on	
11	Licensee's Oregon license. On July 2, 2013, Licensee submitted documentation that he has	
12	successfully completed all terms of this Agreement and requested that this Agreement be	
13	terminated.	
14	2.	
15	The Board's Medical Director has reviewed the documentation submitted by Licensee and	
16	has determined that Licensee has successfully complied with all of the terms of this Agreement.	
17	The Board does hereby order that the May 2, 2013, Consent Agreement be terminated effective	
18	the date this Order is signed by the Board Chair.	
19		
20	IT IS SO ORDERED this 11th day of Juy, 2013.	
21	OREGON MEDICAL BOARD	
22	State of Oregon	
23	SIGNATURES REDACTED	
24	ROGER M. MCKIMMY, MD	
25	Board Chair	
26		
27		

1	BEFORE THE
2	OREGON MEDICAL BOARD
3	STATE OF OREGON
4	
5	In the Matter of)
6	PATRICK JAMES MOORE, MD) STIPULATED ORDER LICENSE NO, MD10765)
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. Patrick James Moore, MD (Licensee) is a retired physician who was formerly licensed
12	in the state of Oregon.
13	2.
14	On April 5, 2013, the Board issued a Complaint and Notice of Proposed Disciplinary
15	Action in regards to Licensee. In this document, the Board proposed to take disciplinary action
16	by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to
17.	include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS
18	677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.080
19	practicing medicine in Oregon without a medical license; ORS 677.190(17) willfully violating
20	any rule adopted by the Board or any Board order or any Board request; ORS 677.190(23)
21	violating the Federal Controlled Substances Act; and ORS 677.190(24) prescribing controlled
22	substances without a legitimate medical purpose and without following accepted procedures for
23	examination of patients or for record keeping.
24	3.
25	On August 2, 2012, Licensee and the Board entered into a Stipulated Order in which
26	Licensee retired his medical license while under investigation, and stipulated that he would cease
27	practicing any form of medicine, effective the date of that Order. Licensee also stipulated and

1	agreed that any violation of the terms of that Order shall be grounds for further disciplinary
2	action.
3	The acts and conduct that violated the Medical Practice Act are:
4	On January 4, 2013, a pharmacy in Medford, Oregon reported that between
5	October 23, 2012 and December 3, 2012, Licensee had called in multiple prescriptions for
6	clonazepam (Klonopin, Schedule IV), hydrocodone/acetaminophen (Schedule III), and zolpidem
7	(Ambien, Schedule IV) for patients residing in Oregon. The Board subsequently opened an
8	investigation into Licensee's violation of the terms of his Stipulated Order.
9	The Board's investigation revealed that on 47 occasions between August 5, 2012
10	and January 2, 2013, Licensee had authorized multiple prescriptions (to include refills) in
11	Oregon for clonazepam, hydrocodone/acetaminophen, and zolpidem, for himself, family
12	members, and friends, without a license to practice medicine in Oregon. In addition, Licensee
13	failed to maintain patient records or appropriate records for the controlled substances that he
14	prescribed.
15	3.3 Licensee has admitted that he diverted some of the controlled substances that he
16	prescribed for these patients for his personal use.
17	4.
18	Licensee and the Board desire to settle this matter by the entry of this Stipulated Order.
19	Licensee understands that he has the right to a contested case hearing under the Administrative
20	Procedures Act (Chapter 183 Oregon Revised Statutes), and fully and finally waives the right to
21	a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the
22	Board's records. Licensee stipulates and the Board finds that the conduct described in paragraph
23	3 violated ORS 677.080 practicing medicine in Oregon without a medical license; ORS
24	677.190(17) willfully violating any rule adopted by the Board or any Board order or any Board
25	request; ORS 677.190(23) violating the Federal Controlled Substances Act; and ORS

following accepted procedures for examination of patients or for record keeping. Licensee

1	1 understands that this Order is a public	record and is a disciplinary action that is reportable to the
2	2 National DataBank and the Federation	of State Medical Boards.
3	3	5.
4	4 Licensee and the Board agree t	o resolve this matter by the entry of this Stipulated Order
5	5 subject to the following terms:	
6	6 5.1 Licensee is reprimande	d.
7	7 5.2 Licensee surrenders his	retired Oregon medical license while under investigation
8	8 Licensee acknowledges that he is perm	nanently prohibited from practicing any form of medicine
9	9 5.2 Licensee agrees never to	o re-apply for an Oregon medical license.
10	5.3 Licensee must pay a fin	e of \$10,000, of which \$5,000 of this fine is held in
11	1 abeyance contingent on Licensee comp	olying with all the terms and conditions of this Order. The
12	2 remaining \$5,000 must be paid in full	no later than 90 days from the date this Order is signed by
13	3 the Board Chair.	
14	4 5.4 The Stipulated Order of	August 2, 2012, terminates upon the signing of this
15	5 Stipulated Order by the Board Chair.	
16	6 5.5 Licensee stipulates and	agrees that any violation of the terms of this Order shall
17	7 be grounds for further disciplinary action	on under ORS 677.190(17).
18		. ,
19	9 IT IS SO STIPULATED	this $3 \circ t \neq day$ of $4 \circ t \neq day$ of 2013.
20		,
21	1	SIGNATURE REDACTED
22	2	PATRICK JAMES MOORE, MD
23	3 IT IS SO ORDERED th	is 11th day of JUY 2013.
24	4	
25	5	OREGON MEDICAL BOARD
26	6 S	IGNATURE REDACTED
27	7	ROGER MCKIMMY, MD Board Chair

Page 3 –STIPULATED ORDER – PATRICK JAMES MOORE, MD

1	BEFORE THE		
2	OREGON MEDICAL BOARD		
3	STATE OF OREGON		
4	In the Matter of		
5	LESLIE ARTHUR PLISKEN, MD) ORDER TERMINATING		
6	LICENSE NO. MD12017) STIPULATED ORDER)		
7			
8	1.		
9	On January 13, 2011, Leslie Arthur Pliskin, MD (Licensee) entered into a Stipulated		
10	Order with the Oregon Medical Board (Board). This Order placed Licensee on probation with		
11	certain conditions. On June 6, 2013, Licensee submitted a written request to terminate this		
12	Order.		
13	2.		
14	Having fully considered Licensee's request and his successful compliance with the terms		
15	of this Order, the Board terminates the January 13, 2011, Stipulated Order, effective the date this		
16	Order is signed by the Board Chair.		
17			
18	IT IS SO ORDERED this 12th day of 7th, , 2013.		
19	OREGON MEDICAL BOARD		
20	State of Oregon		
21	SIGNATURES REDACTED		
22	ROGER M. MCKIMMY, MD		
23	Board Chair		
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Page -1 ORDER TERMINATING STLIPULATED ORDER – Leslie Arthur Pliskin, MD

1	BEFORE THE	
2	OREGON MEDICAL BOARD	
3	STATE OF OREGON	
4	In the Matter of)	
5	DAVID RICHARD ROSENCRANTZ, MD) ORDER TERMINATING LICENSE NO. MD07089) CORRECTIVE ACTION AGREEMENT	
6 7) CORRECTIVE ACTION AGREEMENT	
8	1.	
9	On July 12, 2012, David Richard Rosencrantz, MD (Licensee) entered into a Corrective	
10	Action Agreement with the Oregon Medical Board (Board). This Agreement placed conditions	
11	on Licensee's Oregon license. On February 28, 2013, Licensee submitted documentation that he	
12	has successfully completed all terms of this Agreement and requested that this Agreement be	
13	terminated.	
14	2.	
15	The Board has reviewed the documentation submitted by Licensee and has determined	
16.	that Licensee has successfully complied with all of the terms of this Agreement. The Board	
17	terminates the July 12, 2012, Corrective Action Agreement, effective the date this Order is	
18	signed by the Board Chair.	
19		
20	IT IS SO ORDERED this Way of Juy , 2013.	
21	OREGON MEDICAL BOARD	
22	State of Oregon	
23	SIGNATURE REDACTED	
24	ROGER M. MCKIMMY, MD	
25	Board Chair	
26		
27		

Page -1 ORDER $\mathit{TERMINATING}$ $\mathit{CORRECTIVE}$ ACTION $\mathit{AGREEMENT}$ – David Richard Rosencrantz, MD

1	BEFORE THE	
2	OREGON MEDICAL BOARD	
3	STATE OF OREGON	
4	In the Matter of)	
5	In the Matter of EDUARDO RODOLFO VALENZUELA, PA APPLICANT STIPULATED ORDER	
6	APPLICANT)	
7	1.	
8	The Oregon Medical Board (Board) is the state agency responsible for licensing,	
9	regulating and disciplining certain health care providers, including physician assistants, in the	
10	state of Oregon. Eduardo Rodolfo Valenzuela, PA (Applicant) is a formerly licensed physician	
11	assistant in the state of Oregon.	
12	2.	
13	The Board opened an investigation in May 2010, regarding allegations that the Applicant	
14	had practiced medicine with an inactive physician assistant license and without a supervising	
15	physician. Applicant entered into a Stipulated Order with the Board on January 3, 2011 to	
16	resolve this investigation. In this Order, Licensee stipulated, and the Board found, that his	
17	conduct violated ORS 677.080(4) engaging in the unlicensed practice of medicine; ORS	
. 18	677.190(1)(a), unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a), (b) and	
19	(c); ORS 677.190(13) gross or repeated negligence in the practice of medicine; ORS 677.190(17)	
20	willfully failing to comply with any Board statute or rule request and ORS 677.190(24)	
21	prescribing controlled substances without following accepted procedures for examination of	
22	patients, or prescribing controlled substances without following accepted procedures for record	
23	keeping. Pursuant to the 2011 Order, Applicant was reprimanded, surrendered his physician	
24	assistant license while under investigation and agreed not to apply for an active license for two	
25	years. Applicant submitted an application for a physician assistant license on January 17, 2013	
26	and has submitted a re-entry to practice plan.	
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Applicant and the Board desire to settle this matter by the entry of this Stipulated Order. Applicant understands that he has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes 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. Applicant stipulates that he has engaged in conduct previously described in the Board's January 13, 2011 Stipulated Order and that this conduct constituted violations of ORS 677.080(4) engaging in the unlicensed practice of medicine; ORS 677.190(1)(a), unprofessional conduct, as defined by ORS 677.188(4)(a); ORS 677.190(13) repeated negligence in the practice of medicine; ORS 677.190(17) willfully failing to comply with any Board statute or rule request 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. Applicant understands and agrees that this conduct constitutes grounds for the Board to deny his license application pursuant to ORS 677.190 or to impose terms of probation pursuant to ORS 677.205. Applicant 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.

18

4.

In order to address the concerns of the Board and for the purposes of resolving this matter, Applicant and the Board agree that the Board will close this matter and grant Applicant an active physician assistant license subject to the following conditions:

- 4.1 Applicant must successfully complete the Physician Assistant National Certifying Exam (PANCE) or Physician Assistant National Recertifying Exam (PANRE) given by the National Commission on Certification of Physician Assistants (NCCPA) and obtain NCCPA certification prior to being granted an active physician assistant license.
- 4.2 Applicant's supervising physician(s) and practice agreement must be approved in advance by the Board's Medical Director. Applicant will practice under Direct Supervision, as

1	defined in OAR 847-050-0010, for the first twelve months of active practice. After that period,	
2	the Applicant may, with the endorsement of his supervising physician(s), submit a request to the	
3	Board's Medical Director to practice under a lower level of supervision.	
4	4.3 Applicant will meet with his supervising physician(s) at least monthly for chart	
5	review and discussions of patient care. For the first three months of practice, chart review will	
6	be set at 100%, for the next three months chart review will be set at 50%, for the next six months	
7	chart review will be set at 25%. Thereafter, the rate of chart review will be set by the	
8	supervising physician(s).	
9	4.3 Applicant will not provide medical treatment or prescriptions for himself or his	
10	family members. In addition, Applicant will not provide medical treatment for any patient	
11	except in his supervised clinical setting.	
12	4.4 The Stipulated Order of January 13, 2011, terminates upon the signing of this	
13	Order by the Board Chair.	
14	4.5 Applicant stipulates and agrees that any violation of the terms of this Order shall	
15	be grounds for further disciplinary action under ORS 677.190(17).	
16		
17	IT IS SO STIPULATED this 17 day of Jake, 2013.	
18	SIGNATURE REDACTED	
19	EDUAKDET VALENZUELA, PA	
20		
21	IT IS SO ORDERED this 11th day of JVly , 2013.	
22	OREGON MEDICAL BOARD	
23	State of Oregon	
24	SIGNATURE REDACTED	
25	ROCER MCKIMMY, MD	
26	Board Chair	
27		

1	BEFORE THE				
2	OREGON MEDICAL BOARD				
3	STATE OF OREGON				
4	In the Matter of)			
5	KENNETH JAY WELKER, MD)	INTERIM STIPULATED ORDER		
6	LICENSE NO. MD22731)	MATERIAL OF THE STATE OF THE ST		
7)			
8		i.			
9	The Oregon Medical Board (Board) is the state agency responsible for licensing,				
0	regulating and disciplining certain health care providers, including physicians, in the state of				
1	Oregon. Kenneth Jay Welker, MD (Licensee) is a licensed physician in the state of Oregon and				
12	holds an active medical license.				
13		2.			
14	Licensee is a board certified general surgeon. The Board received credible information				
15	regarding Licensee that resulted in the board initiating an investigation. The results of the				
16	Board's investigation to date have raised concerns to the extent that the Board believes it				
17	necessary that Licensee agree to certain terms until the investigation is completed.				
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19	In order to address the Board's co	oncern, l	icensee and the Board agree to the entry of this		
20	Interim Stipulated Order, which will remain in effect while this matter remains under				
21	investigation, and provides that Licensee shall comply with the following conditions:				
22	3.1 Licensee must inform eve	ry patiei	nt, both verbally, and in writing, that he cannot		
23	act as their primary care physician, and n	ote such	disclosure in the medical chart.		
24	3.2 Licensee must not change	, cancel	or tell a patient to discontinue taking any		
24	medication prescribed by another physic	ian or nu	arse practitioner.		
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26	111				

i	3.3	Licensee must inform every patient that they must have a primary care provider	
2	who is a physician, osteopathic physician, or nurse practitioner, in order to be seen by Licensee.		
3	This provider must not be affiliated or related to Licensee.		
4	3.4	Licensee must inform all physicians or nurse practitioners treating a patient of the	
5	medications	he is prescribing to the patient.	
6	3.5	Licensee's practice is subject to no notice compliance inspections by Board	
7	designees.		
8	3.6	Licensee understands that violating any term of this Order will be grounds for	
9	disciplinary	action under ORS 677.190(17).	
10	3.7	Licensee understands this Order becomes effective June 19, 2013, at 5:00 p.m.	
11		4.	
12	At the conclusion of the Board's investigation, the Board will decide whether to close the		
13	case or to proceed to some form of disciplinary action. If the Board determines, following that		
14	review, not to lift the requirements of this Order, Licensee may request a hearing to contest that		
15	decision.		
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2	This order is issued by the Board pursuant to ORS 677.410, which grants the Board the
3	authority to attach conditions to the license of Licensee to practice medicine. These conditions
4	will remain in effect while the Board conducts a complete investigation in order to fully inform
5	itself with respect to the conduct of Licensee. Pursuant to ORS 677.425, Board investigative
6	materials are confidential and shall not be subject to public disclosure, nor shall they be admissible
7	as evidence in any judicial proceeding. However, as a stipulation this Order is a public document.
8	IT IS SO STIPULATED THIS 17 day of JUNE 2013)
9	SIGNATURE REDACTED
11	KENNETH JÄŸ WELKER, MD
12	IT IS SO ORDERED THIS 18 day of Juve, 2013.
13	This so ORDERED This is also started and so is a second se
14 15	OREGON MEDICAL BOARD State of Oregon
16	SIGNATURE REDACTED
17	KATHLEEN HALEY, JD EXECUTIVE DIRECTOR
18 19	ENECOTIVE DIRECTOR
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