

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against: )  
 )  
**CHRISTIAN LE, M.D.** )  
 )  
Physician's and Surgeon's )  
Certificate No. A80214 )  
 )  
Respondent )  
\_\_\_\_\_ )

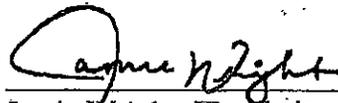
Case No. 800-2015-017644

**ORDER DENYING PETITION FOR RECONSIDERATION**

The Petition filed by Christian Le, M.D., for the reconsideration of the decision in the above-entitled matter having been read and considered by the Medical Board of California, is hereby denied.

This Decision remains effective at 5:00 p.m. on **June 23, 2017**.

**IT IS SO ORDERED:** June 23, 2017

  
\_\_\_\_\_  
Jamie Wright, JD, Chair  
Panel A



1 XAVIER BECERRA  
Attorney General of California  
2 JANE ZACK SIMON  
Supervising Deputy Attorney General  
3 CAROLYNE EVANS  
Deputy Attorney General  
4 State Bar No. 289206  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-1211  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*  
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8  
9 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**  
11

12 In the Matter of the Accusation Against,

13 **CHRISTIAN LE, M.D.**

14 **25 NW 23rd Place, Suite 6-269**  
15 **Portland, Oregon 97210-5580**

16 **Physician's and Surgeon's Certificate No.**  
17 **A80214**

18 Respondent

Case No. 800-2015-017644

**DEFAULT DECISION**  
**AND ORDER**

[Gov. Code §11520]

19  
20 On or about October 11, 2016, an employee of the Medical Board of California (Board),  
21 sent by certified mail a copy of Accusation No. 800-2015-017644, Statement to Respondent,  
22 Notice of Defense in blank, Request for Discovery, and Government Code sections 11507.5,  
23 11507.6, and 11507.7 to Christian Le, M.D. (Respondent) at his address of record with the Board,  
24 which was and is 25 NW 23<sup>rd</sup> Place, Suite 6-69, Portland, Oregon 97210-5580. On or about  
25 October 15, 2016, Vicki Smallwood signed the certified mail receipt card as agent for  
26 Respondent. On or about November 3, 2016, Deputy Attorney General Carlyne Evans received  
27  
28

1 a Notice of Defense. (Exhibit Package, Exhibit A<sup>1</sup>: Accusation, the related documents,  
2 Declaration of Service, Notice of Defense, certified mail receipt card.)

3 On or about December 16, 2016, via regular and certified mail, a Notice of Hearing was  
4 served on Respondent at his address of record informing him that a hearing would be held on  
5 April 6, 2017 at 9:00 a.m. at the Office of Administrative Hearings at 1515 Clay Street, Suite 206,  
6 Oakland, California. (Exhibit Package, Exhibit B: Notice of Hearing and proof of service.)

7 The matter was called for hearing at the date, time and location as set forth in the Notice of  
8 Hearing. Deputy Attorney General Carolyne Evans of the Attorney General's Office appeared on  
9 behalf of the Complainant Medical Board of California. There was no appearance by or on behalf  
10 of Respondent. At 9:40 a.m., Administrative Law Judge Diane Schneider declared the matter a  
11 default, and at the request of Complainant's counsel, the matter was remanded to the agency for  
12 action under Government Code section 11520. (Exhibit Package, Exhibit C: Findings and  
13 Declaration of Default; Order of Remand.)

#### 14 FINDINGS OF FACT

##### 15 I.

16 Complainant Kimberly Kirchmeyer is the Executive Director of the Board. The charges  
17 and allegations in Accusation No. 800-2015-017644 were at all times brought and made solely in  
18 the official capacity of the Board's Executive Director.

##### 19 II.

20 On or about August 15, 2002, the Board issued Physician's and Surgeon's Certificate No.  
21 A80214 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at  
22 all times relevant to the charges brought herein and will expire on June 30, 2018, unless renewed.  
23 (Exhibit Package, Exhibit D: Certificate of License.)

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27 <sup>1</sup> The evidence in support of this Default Decision and Order is contained in the "Exhibit  
28 Package."

1 III.

2 On or about October 11, 2016, Respondent was served with an Accusation, alleging causes  
3 for discipline against Respondent. The Accusation and accompanying documents were duly  
4 served on Respondent. Respondent filed a Notice of Defense. Respondent was served with a  
5 Notice of Hearing scheduled for April 6, 2017 at the Office of Administrative Hearings. There  
6 was no appearance by or on behalf of Respondent. The matter was remanded to the agency for  
7 action under Government Code section 11520.

8 IV.

9 The allegations of the Accusation are true as follows:

10 On or about October 15, 2015, the Oregon Medical Board issued an Interim Stipulated  
11 Order, which prohibited Respondent from signing any Oregon Medical Marijuana Program  
12 related Attending Physicians' Statements for patients under the age of eighteen (18).

13 On or about April 6, 2016, the Oregon Medical Board issued another Interim Stipulated  
14 Order, which prohibited Respondent from prescribing any controlled substance to any patient.

15 On or about April 7, 2016, the Oregon Medical Board issued a Complaint and Notice of  
16 Proposed Disciplinary Action, which alleges that Respondent failed to comply with the terms and  
17 conditions of the Health Professionals Services Program, which required him to submit to  
18 ongoing urine drug screens. The Oregon Complaint also alleges that Respondent violated the  
19 Medical Practices Act by engaging in unprofessional or dishonorable conduct, gross or repeated  
20 acts of negligence, and willfully violating any rule adopted by the Oregon Board. (Exhibit  
21 Package, Exhibit A, Attachment A: Oregon Medical Board orders dated October 15, 2015 and  
22 April 6, 2016 and the Oregon Complaint dated April 7, 2016.)

23 DETERMINATION OF ISSUES

24 Pursuant to the foregoing Findings of Fact, Respondent's conduct and the action of the  
25 Oregon Medical Board constitute cause for discipline within the meaning of Business and  
26 Professions Code sections 2305 and/or 141.

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1 ORDER

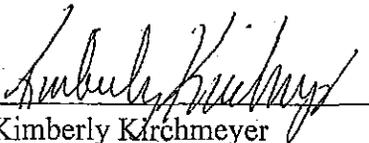
2 IT IS SO ORDERED that Physician's and Surgeon's Certificate No. A80214, heretofore  
3 issued to Respondent Christian Le, M.D., is **REVOKED**.

4 Respondent shall not be deprived of making a request for relief from default as set forth in  
5 Government Code section 11520, subdivision (c), for good cause shown. However, such showing  
6 must be made in writing by way of a motion to vacate the default decision and directed to the  
7 Medical Board of California at 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815 within  
8 seven (7) days after service of the Decision on Respondent.

9 This Decision shall become effective on June 15, 2017.

10 It is so ORDERED May 16, 2017.

11  
12 MEDICAL BOARD OF CALIFORNIA  
13 DEPARTMENT OF CONSUMER AFFAIRS  
14 STATE OF CALIFORNIA

15 By   
16 Kimberly Kirchmeyer  
17 Executive Director

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25 SF2016201613  
26 41742284.doc

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANE ZACK SIMON  
Supervising Deputy Attorney General  
3 CAROLYNE EVANS  
Deputy Attorney General  
4 State Bar No. 289206  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-1211  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO ~~October 11, 2016~~  
BY: *[Signature]* ANALYST

7  
8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2015-017644

13 **CHRISTIAN LE, M.D.**  
14 **25 NW 23<sup>rd</sup> Avenue, Suite 6-269**  
**Portland, Oregon, 97210**

**ACCUSATION**

15 **Physician's and Surgeon's Certificate**  
16 **No. A80214**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
22 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
23 Affairs (Board).

24 2. On or about August 16, 2002, the Medical Board issued Physician's and Surgeon's  
25 Certificate No. A80214 to Christian Le, M.D. (Respondent). The Physician's and Surgeon's  
26 Certificate was in full force and effect at all times relevant to the charges brought herein and will  
27 expire on June 30, 2018, unless renewed.

28 ///

JURISDICTION

1  
2       3.     This Accusation is brought before the Board, under the authority of the following  
3 laws. All section references are to the Business and Professions Code unless otherwise indicated.

4       4.     Section 2227 of the Code provides, in part, that the Board may revoke, suspend for a  
5 period not to exceed one year, or place on probation, the license of any licensee who has been  
6 found guilty under the Medical Practice Act, and may recover the costs of probation monitoring.

7       5.     Section 2305 of the Code provides, in part, that the revocation, suspension, or other  
8 discipline, restriction or limitation imposed by another state upon a license to practice medicine  
9 issued by that state, or the revocation, suspension, or restriction of the authority to practice  
10 medicine by any agency of the federal government, that would have been grounds for discipline  
11 in California under the Medical Practice Act, constitutes grounds for discipline for unprofessional  
12 conduct.

13       6.     Section 141 of the Code states:

14       "(a) For any licensee holding a license issued by a board under the jurisdiction of the  
15 department, a disciplinary action taken by another state, by any agency of the federal government,  
16 or by another country for any act substantially related to the practice regulated by the California  
17 license, may be a ground for disciplinary action by the respective state licensing board. A  
18 certified copy of the record of the disciplinary action taken against the licensee by another state,  
19 an agency of the federal government, or another country shall be conclusive evidence of the  
20 events related therein.

21       "(b) Nothing in this section shall preclude a board from applying a specific statutory  
22 provision in the licensing act administered by that board that provides for discipline based upon a  
23 disciplinary action taken against the licensee by another state, an agency of the federal  
24 government, or another country."

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26       ///  
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1 CAUSE FOR DISCIPLINE

2 (Discipline, Restriction, or Limitation Imposed by Another State)

3 7. On or about, October 15, 2015, the Oregon Medical Board issued an Interim  
4 Stipulated Order, which prohibited Respondent from signing any Oregon Medical Marijuana  
5 Program related Attending Physicians' Statements for patients under the age of eighteen (18).

6 On or about, April 6, 2016, the Oregon Medical Board issued another Interim Stipulated  
7 Order, which prohibited Respondent from prescribing any controlled substance to any patient.

8 On or about April 7, 2016, the Oregon Medical Board issued a Complaint and Notice of  
9 Proposed Disciplinary Action, which alleges that Respondent failed to comply with the terms and  
10 conditions of the Health Professionals Services Program, which required him to submit to  
11 ongoing urine drug screens. The Oregon Complaint also alleges that Respondent violated the  
12 Medical Practices Act by engaging in unprofessional or dishonorable conduct, gross or repeated  
13 acts of negligence, and willfully violating any rule adopted by the Oregon Board.

14 8. Respondent's conduct and the actions of the Oregon Board as set forth in paragraph  
15 7, above, and within the actual Oregon Medical Board orders dated October 15, 2015 and April 6,  
16 2016 and the Oregon Complaint dated April 7, 2016, attached as Exhibit A, constitute  
17 unprofessional conduct and cause for discipline pursuant to sections 2305 and/or 141 of the Code.

18 PRAYER

19 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
20 and that following the hearing, the Medical Board of California issue a decision:

21 1. Revoking or suspending Physician's and Surgeon's Certificate No. A80214, issued to  
22 Christian Le, M.D.;

23 2. Revoking, suspending or denying approval of Christian Le, M.D.'s authority to  
24 supervise physician assistants, pursuant to section 3527 of the Code;

25 3. Ordering Christian Le, M.D., if placed on probation, to pay the Board the costs of  
26 probation monitoring; and

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4. Taking such other and further action as deemed necessary and proper.

DATED: October 11, 2016

  
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

SF2016201613

EXHIBIT A



# Oregon

Kate Brown, Governor

Medical Board  
1500 SW 1st Avenue, Suite 620  
Portland, OR 97201  
(971) 673-2700  
FAX (971) 673-2670  
www.oregon.gov/omb

## CERTIFICATION

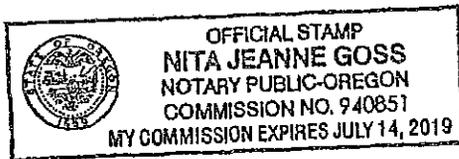
I, Eric Brown, state that I am the Chief Investigator of the Oregon Medical Board and, as such, am the Custodian of Records of the Investigative Unit of said Oregon Medical Board. I hereby certify that the enclosed copies of Orders on file with the Oregon Medical Board regarding **CHRISTIAN THANH LE, MD (MD153577)** are true copies of the originals on file in said Investigative Unit.

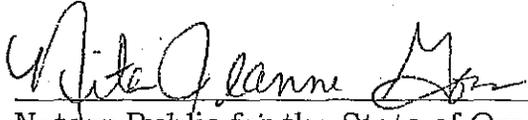
  
Eric Brown

Date: April 27, 2016



Subscribed and sworn to before me this 27th day of April, 2016.



  
Notary Public for the State of Oregon  
My Commission Expires: July 14, 2019

(SEAL)



# Oregon

Kate Brown, Governor

Medical Board  
1500 SW 1st Avenue, Ste 620  
Portland, OR 97201-5847  
(971) 673-2700  
FAX (971) 673-2670  
[www.oregon.gov/OMB](http://www.oregon.gov/OMB)

April 26, 2016

Medical Board of California  
Discipline Coordination Unit  
Attn: Cyndie Kouza  
2005 Evergreen St., Suite 1200  
Sacramento, CA 95815-3831

REPORT NAME:                   **LICENSE VERIFICATION**  
REPORT SUBJECT:               **Christian Thanh Le**  
LICENSE #:                       **MD153577**

The Oregon Medical Board is responding to your inquiry regarding verification of licensure for the above-referenced Licensee. Enclosed is a License Verification Report for this Licensee.

There are public Board orders on file for this Licensee. Copies of the following Board Orders are also enclosed:

- ☑ Interim Stipulated Order; Dated 04/06/2016
- ☑ Complaint and Notice; Dated 04/07/2016
- ☑ Interim Stipulated Order; Dated 10/13/2015

If you have any questions regarding this License Verification Report, please contact the Board at (971) 673-2700, or toll free in Oregon at (877) 254-6263.

Sincerely,

JerrellAnn Farmer  
Public Information Specialist

Enclosures

License Verification Details

SUBJECT TO TERMS AND CONDITIONS

Information current as of: 04/26/2016

Session: 2016-04-26 03:00:09.644 | 172.21.5.179 /cfewfzswrymjuqfi3whczap2



This site is a primary source for verification of license credentials consistent with Joint Commission and NCQA standards.

Le, Christian Thanh MD

**Gender:** Male

**Year of Birth:** 1970

Address Type	City	County	State	Phone
Practice	Portland	Multnomah	Oregon	503-893-9223

License

**Number:** MD153577

**License Type:** MD License

**Originally Issued:** 02/07/2011

**Current Status:** Active

**Status Effective:** 1/1/2016

**Expires:** 12/31/2017

**Expedited**

**Endorsement:** Yes

**Basis:** USMLE

**Specialty :** Internal Medicine

Pediatrics

*Specialty is self-reported by the licensee. It does not necessarily indicate specialty board certification. Check directly with the Specialty Member Board for current certification status.*

Education

Medical School

School Name	Location	Degree Date
UNIV OF MIAMI SCH OF MED	MIAMI, FLORIDA USA	05/12/1995

Post-Graduate

Type	School name	Location	From	To	Specialty
Internship	Jackson Mem Hsp Hlth Syst Prog	Miami, FL United States	06/1995	06/1996	Internal Medicine
Residency	Jackson Mem Hsp Hlth Syst Prog	Miami, FL United States	07/1996	06/1999	Internal Medicine

*Medical education and post-graduate training may not have been verified with the primary source if licensed through Expedited Endorsement.*

Board Orders

Board Orders and Agreements are public records. Please note that Corrective Action Orders, Corrective Action Agreements, and Consent Agreements are not disciplinary and are removed from this website upon completion. Copies of any Orders or Agreements are available through a license verification request

Effective Date	End Date	Order Type
04/07/2016	Open	Complaint and Notice On April 7, 2016, the Board issued a Complaint and Notice of Proposed Disciplinary Action alleging violations of the Medical Practice Act (state law) regarding unprofessional or dishonorable conduct; gross or repeated acts of negligence; and willfully violating any rule adopted by the Board. This is a preliminary action by the Board. A final Board action in this matter has not been taken.
04/06/2016	Open	Interim Stipulated Order On April 6, 2016, Licensee entered into an Interim Stipulated Order to voluntarily cease the prescribing of all controlled substances pending the completion of the Board's investigation into his ability to safely and competently practice medicine.
10/13/2015	Open	Interim Stipulated Order On October 13, 2015, Licensee entered into an Interim Stipulated Order to voluntarily cease the signing of Attending Physician Statements related to the Oregon Medical Marijuana Program for patients under the age of 18, pending the completion of the Board's investigation into his ability to safely and competently practice medicine.

#### Malpractice

Malpractice claim information is compiled by the Oregon Medical Board from claim reports it receives from primary insurers; public bodies required to defend, save harmless and indemnify an officer, employee or agent of the public; a self-insured entity; or a health maintenance organization. Claim reporting and disclosure requirements are governed by ORS 742.400.

The settlement of a medical malpractice claim may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the provider. Therefore, there may be no disciplinary action appearing for a licensee, even though there is a closed malpractice claim on file. A payment in the settlement of a medical malpractice action does not create a presumption that medical malpractice occurred. This database represents information from reporters to date. Please note: Not all reporters may have submitted claim information to the Board.

For malpractice claim information, click [here](#).

#### Oregon Medical Board

1500 SW 1st Ave, Suite 620  
Portland, OR 97201  
Phone: (971) 673-2700

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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of )  
CHRISTIAN THANH LE, MD ) INTERIM STIPULATED ORDER  
LICENSE NO. MD153577 )  
)

1.

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

2.

The Board received credible information regarding Licensee that resulted in the Board initiating an investigation. On October 13, 2015, the Board issued an Interim Stipulated Order in which Licensee agreed to cease signing Oregon Medical Marijuana Program related Attending Physician's Statements for patients under the age of eighteen (18). The Board's investigation to date has raised concerns to the extent that the Board believes it necessary that Licensee agree to additional terms until the investigation is completed.

3.

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

3.1 Licensee must not prescribe any controlled substances to any patient. This restriction does not preclude Licensee from signing Oregon Medical Marijuana Program related Attending Physician's Statements for patients aged 18 and over.

///





1 0065(3) and ORS 677.190(1)(a), as defined by ORS 677.188(4)(a). Additionally, Licensee  
2 failed to notify HPSP of his employment at a marijuana clinic as required by ORS 676.185(5)(g),  
3 OAR 415-065-0055(4), and OAR 847-065-0055(7), resulting in no worksite monitoring reports  
4 being provided to HPSP.

5 3.2 Licensee works on contract with Green Earth Medicine Clinic, where persons pay  
6 a fee and present before a physician for the purpose of receiving authorization from the Oregon  
7 Medical Marijuana Program to use marijuana for a medical purpose. Patient A, a 15-year-old  
8 male, presented to Licensee on October 1, 2013. He had previously been diagnosed with Osgood  
9 Schlatter disease (right knee), which is an inflammation of the tendon near the top of the tibia,  
10 with complaints of right knee pain. Patient A's health history questionnaire reflects that he (or  
11 his guardian) checked yes for "Mental disorders (depression, anxiety)" as well as "Back and  
12 neck pain" and "Chronic pain, specify: Knee pain." On the Attending Physician's Statement  
13 provided by the Oregon Medical Marijuana Program, Licensee wrote "Osgood Schlatter disease  
14 with knee degeneration and scoliotic spinal pain." Osgood Schlatter is not a degenerative  
15 disease. Licensee did not support his diagnoses with objective findings, and made no mention  
16 (or description) of curvature of the spine in regard to his finding of scoliosis. In addition,  
17 Licensee failed to assess Patient A's mental health history before signing the Attending  
18 Physician statement that marijuana may mitigate the symptoms or effects of this patient's  
19 condition for this adolescent patient. Although the health history questionnaire used at the Green  
20 Earth Medicine Clinic did provide a "Release of Liability" form that advised clients of certain  
21 risks associated with the use of marijuana, to include the presence of tars that may be harmful  
22 and that the use of cannabis "may affect my coordination and cognition...", the form did not  
23 address the significant negative effect that frequent marijuana use can have on the cognitive  
24 function, attention span, memory and IQ of adolescents. As the attending physician, Licensee  
25 had an ethical obligation to inform Patient A (and his guardian) of the risks associated with using  
26 marijuana. His failure to do so breached the standard of care and subjected Patient A to the risk  
27 of harm. In addition, his lack of objective findings to support the stated diagnosis, and failure to  
28 ///

1 consider contra-indications to the use of marijuana, breached the standard of care, in violation of  
2 ORS 677.190(1)(a), as defined by ORS 677.188(4)(a) and ORS 677.190(13).

3 3.3 The Board conducted a review of Licensee's care for Patients B – D, and found a  
4 pattern of sub-standard medical care in which Licensee either signed an Attending Physician's  
5 Authorization form for marijuana, or endorsed the continued use of marijuana for pain, while  
6 prescribing dosages of controlled substances that included either opioids or benzodiazepines, or a  
7 combination of both. Licensee failed to order a urine drug screen for any patient, conduct a risk  
8 assessment, access the Prescription Drug Monitoring Program database, or utilize a pain  
9 contract. Specific concerns that breached the standard of care, in violation of ORS  
10 677.190(1)(a), as defined by ORS 677.188(4)(a) and ORS 677.190(13), are set forth below:

11 a. Patient B, a 46-year-old female, presented to Licensee in April of 2014  
12 with a history of gastroparesis, "multiple pain syndrome," chronic abdominal pain and nausea,  
13 and multilevel spinal degenerative disc disease. Patient B had a medical marijuana card and was  
14 already taking multiple medications, to include hydrocodone, phenergan and fentanyl. On the  
15 second patient visit, Licensee made a diagnosis of post-traumatic stress disorder, without  
16 explanation in the chart. In May 2014, Licensee prescribed fentanyl (Duragesic, Schedule II), 25  
17 mcg/hr patch, hydrocodone & acetaminophen (Schedule II) 7.5/325 mg. Licensee failed to note  
18 in the chart the number of patches prescribed or dosage instructions for Patient B to follow, why  
19 this combination and amount of controlled substances was medically indicated, or of the risks  
20 associated with this combination of controlled substances.

21 b. Patient C, a 69-year-old male with a history of coronary artery disease,  
22 carotid artery disease, and low back pain, initially presented to Licensee on March 6, 2014,  
23 complaining of osteoarthritis. Licensee signed a medical marijuana card and prescribed  
24 hydrocodone & acetaminophen 5/325 mg, 90 tablets. On April 23, 2014, Licensee prescribed  
25 hydrocodone & acetaminophen 5/325 mg, 90 tablets, and lorazepam (Ativan, Schedule IV), 0.5  
26 mg, 60 tablets. Licensee prescribed hydrocodone & acetaminophen 5/325 mg, 90 tablets on May  
27 15, 2014, and on June 18, 2014, hydrocodone & acetaminophen 5/325 mg and lorazepam 0.5  
28 mg, 60 tablets. This pattern continued through August 14, 2014. Licensee failed to note in the

1 chart the amount of medications prescribed or dosage instructions for Patient C to follow, why  
2 this combination and amount of controlled substances was medically indicated, or of the risks  
3 associated with using marijuana in conjunction with an opiate and a benzodiazepine.

4 d. Patient D, a 41-year-old male with a history of drug and alcohol abuse,  
5 presented to Licensee on November 17, 2013. Patient D reported that he smoked cannabis for  
6 relaxation and took Klonopin (for an unspecified seizure disorder), Valium and Xanax. On  
7 November 17, 2013 and December 2, 2013, Licensee prescribed both diazepam (Valium,  
8 Schedule IV) 10 mg, 140 tablets and clonazepam (Klonopin, Schedule IV) 2 mg, 84 tablets.  
9 Licensee last prescribed a combination of these medications (diazepam, 10 mg, 56 tablets and  
10 clonazepam 2 mg, 28 tablets) on February 8, 2014. Licensee failed to note in the chart the  
11 amount of medications prescribed or dosage instructions for Patient D to follow, why this  
12 combination and amount of controlled substances was medically indicated, or of the risks  
13 associated with Patient D using marijuana in combination with two benzodiazepines.

14 4.

15 Licensee is entitled to a hearing as provided by the Administrative Procedures Act  
16 (chapter 183), Oregon Revised Statutes. Licensee may be represented by counsel at the hearing.  
17 If Licensee desires a hearing, the Board must receive Licensee's written request for hearing  
18 within twenty-one (21) days of the mailing of this Notice to Licensee. Upon receipt of a request  
19 for a hearing, the Board will notify Licensee of the time and place of the hearing.

20 5.

21 If Licensee requests a hearing, Licensee will be given information on the procedures,  
22 right of representation, and other rights of parties relating to the conduct of the hearing as  
23 required under ORS 183.413(2) before commencement of the hearing.

24 6.

25 **NOTICE TO ACTIVE DUTY SERVICEMEMBERS:** Active duty servicemembers  
26 have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For  
27 more information contact the Oregon State Bar at 800-452-8260, the Oregon Military

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

3 7.

4 Failure by Licensee to request a hearing or failure to appear at any hearing scheduled by  
5 the Board will constitute waiver of the right to a contested case hearing and will result in a  
6 default order by the Board, including the revocation of his medical license and assessment of  
7 such penalty and costs as the Board deems appropriate under ORS 677.205. If a default order is  
8 issued, the record of proceeding to date, including Licensee's file with the Board and any  
9 information on the subject of the contested case automatically becomes a part of the contested  
10 case record for the purpose of proving a prima facie case per ORS 183.417(4).

11  
12 DATED this 7<sup>th</sup> day of April, 2016.

13 OREGON MEDICAL BOARD  
14 State of Oregon

15 **SIGNATURE REDACTED**

16 KATHLEEN HALEY, JD   
17 EXECUTIVE DIRECTOR



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4.

At the conclusion of the Board's investigation, the Board will decide how the investigation will be closed. 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 and determines how to resolve the investigation. Pursuant to ORS 677.425, Board investigative materials are confidential and shall not be subject to public disclosure, nor shall they be admissible as evidence in any judicial proceeding. However, as a stipulation this Order is a public document and is reportable to the National Databank and the Federation of State Medical Boards.

IT IS SO STIPULATED THIS 13th day of October, 2015.

SIGNATURE REDACTED

CHRISTIAN THAHN LE, MD

IT IS SO ORDERED THIS 15<sup>th</sup> day of October, 2015.

OREGON MEDICAL BOARD  
State of Oregon

SIGNATURE REDACTED

JOE THALER, MD  
MEDICAL DIRECTOR