

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
)
SCOTT MICHAEL MURRAY, MD) STIPULATED ORDER
LICENSE NO. MD15084)
)

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. Scott Michael Murray, MD (Licensee) holds an active license to practice medicine in the state of Oregon. Licensee is a board certified psychiatrist.

2.

On July 15, 2014, the Board issued an Amended Complaint and Notice of Proposed Disciplinary Action in which the Board proposed taking disciplinary action by imposing up to the maximum range of sanctions identified in ORS 677.205(2), to include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); and ORS 677.190(13) gross or repeated acts of negligence.

3.

Licensee and the Board desire to settle this matter by entry of this Stipulated Order. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the right to a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the Board's records. Licensee does not admit, but the Board finds that Licensee engaged in conduct that violated ORS 677.190(1)(a), as defined in ORS 677.188(4)(a); and ORS

///

1 677.190(13). Licensee understands that this Order is a public record and is a disciplinary action
2 that is reportable to the National Data Bank and the Federation of State Medical Boards.

3 4.

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

6 4.1 Licensee must pay a civil penalty of \$3,500, payable in full within 90 day from
7 the signing of this Order by the Board Chair.

8 4.2 Licensee is placed on probation for five years. Licensee must report in person to
9 the Board at each of its quarterly meetings at the scheduled times for a probation interview,
10 unless otherwise directed by the Board's Compliance Officer or its Investigative Committee.

11 4.3 Within 30 days from the date this Order is signed by the Board Chair, Licensee, at
12 his own expense, must enroll to undergo a comprehensive evaluation at the Center for
13 Personalized Education for Physicians (CPEP). Licensee must complete this evaluation within
14 180 days from the date this Order is signed by the Board Chair. Licensee must sign all necessary
15 releases to allow full communication and exchange of documents and reports between the Board
16 and CPEP.

17 4.4 In the event that CPEP identifies the need for remedial education, Licensee must
18 contract with CPEP for the development of an education plan within 30 days of receipt of the
19 evaluation report. The cost of the development of an education plan must be borne by the
20 Licensee. Licensee must sign all necessary releases to allow full communication and exchange
21 of documents and reports between the Board and CPEP. Licensee must ensure CPEP submits
22 the education plan reports directly to the Oregon Medical Board.

23 4.5 Upon approval of the educational plan by the Board's Medical Director, Licensee
24 must successfully complete the CPEP education plan, including any post-education evaluation,
25 within 18 months from the date the educational plan is approved. All costs associated with the
26 approved education plan must be borne by Licensee. Licensee must sign all necessary releases
27 to allow full communication and exchange of documents and reports between the Board and
28 CPEP.

1 4.6 Licensee must provide the Board with written proof from CPEP upon successful
2 completion of the approved education program, including successful completion of any post-
3 education evaluation, as defined above.

4 4.7 Within six months from the signing of this Order by the Board Chair, Licensee
5 must successfully complete a course on medical documentation and a course on prescribing that
6 are pre-approved by the Board's Medical Director.

7 4.8 Licensee must complete a course on professional boundaries that is approved by
8 the Board's Medical Director.

9 4.9 Licensee must undergo testing on a semi-annual basis by a person that is pre-
10 approved by the Board's Medical Director and coordinated through the Board's compliance
11 officer. Licensee will sign releases to allow full communication and exchange of documents and
12 reports between the Board and the testing entity.

13 4.10 Licensee must convert to an electronic medical record (EMR) system that is pre-
14 approved by the Board's Medical Director. This system must be utilized to document all patient
15 encounters. If Licensee desires to change systems, the new system must be pre-approved by the
16 Board's Medical Director.

17 4.11 Licensee must obtain a board certified psychiatrist who is not involved in
18 psychoanalytic practice to serve as a practice monitor that is pre-approved by the Board's
19 Medical Director to meet with Licensee to review his cases with him and to conduct ongoing
20 chart review. Licensee and the monitor will meet at least once every two weeks to discuss and
21 review cases. The mentor must submit written bi-monthly reports to the Board. Licensee may
22 request modification of this term after one year of compliance with the terms of this Order and a
23 positive endorsement from the monitor.

24 4.12 Licensee must establish a relationship with a healthcare provider in an on-going
25 therapeutic relationship. This healthcare provider must be pre-approved by the Board's Medical
26 Director and will submit reports to the Board on a quarterly basis. Licensee will sign releases to
27 allow full communication and exchange of documents and reports between the Board and the
28 healthcare provider.

1 4.13 Licensee's medical charts are subject to no notice audits by the Board's
2 Compliance Officer or Board designee.

3 4.14 The Interim Stipulated Order, dated July 3, 2014, terminates on the date this
4 Order is signed by the Board Chair.

5 4.15 Licensee stipulates and agrees that this Order becomes effective the date it is
6 signed by the Board Chair.

7 4.16 Licensee must obey all federal and Oregon state laws and regulations pertaining
8 to the practice of medicine.

9 4.17 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
12 IT IS SO STIPULATED THIS 27th day of July, 2015.

13 SIGNATURE REDACTED

14 ~~SCOTT MICHAEL MURRAY, MD~~

15
16 IT IS SO ORDERED THIS 8th day of October, 2015.

17
18 OREGON MEDICAL BOARD

19 SIGNATURE REDACTED

20 ~~MICHAEL MASTRANGELO, JR., MD~~
21 BOARD CHAIR