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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
WILLIAM EDWARD DAVIS, DO)
LICENSE NO. DO07432) DEFAULT ORDER
)

1.

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

2.

On August 13, 2018, the Board sent to Licensee by regular and certified mail a Complaint and Notice of Proposed Disciplinary Action (Notice) in which the Board proposed to take disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a \$10,000 civil penalty, and assessment of costs, against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a) any conduct or practice which does or might constitute a danger to the health or safety of a patient or the public; ORS 677.190(17), willful violation of any rule adopted by the board (specifically OAR 847-001-0024) or failing to comply with a board request; and ORS 677.190(24), prescribing a controlled substance without a legitimate medical purpose, or without following accepted procedures for examination of patients or without following accepted procedures for record keeping. The Notice informed Licensee that if he failed to submit a request for hearing or failed to appear at a scheduled hearing, the Board may issue a final order by default. Licensee did not request a hearing. As a result, Licensee has waived his right to a hearing and now stands in default. The

1 Board elects in this case to designate the record of proceedings to date, which consists of
2 Licensee's file with the Board as the record for purposes of proving a prima facie case, pursuant
3 to ORS 183.417(4). Prior to the issuance of the Notice, on June 7, 2018, the Board issued an
4 Order of Emergency Suspension, due to Licensee's failure to respond to Board inquiries and
5 concerns regarding patient safety. Licensee did not request a hearing on the Order of Emergency
6 Suspension, and that Order remains in effect.

7 3.

8 **FINDINGS OF FACT**

9 Licensee's acts and conduct that violated the Medical Practice Act follow:

10 3.1 Licensee prescribed alprazolam (Xanax, Schedule IV) 1 mg, #120 tablets every
11 30 days for Patient A, a 57-year-old female, over the course of several years, for depression and
12 anger. Patient A became addicted, requiring inpatient treatment. Although Licensee informed
13 Patient A that he had fears that she may be dependent on the medication, he continued to
14 prescribe Xanax for her and did not refer her for treatment or consultation. Licensee's treatment
15 of Patient A with a high dosage of Xanax exposed Patient A to the risk of harm and he failed to
16 address her symptoms of drug dependence, which adversely affected her health and the well-
17 being of her immediate family.

18 3.2 A review of Licensee's prescribing practices for the calendar year 2017 revealed
19 that Licensee was prescribing high doses of benzodiazepines to multiple patients, exposing them
20 to the risk of harm.

21 3.3 The Board has attempted to contact Licensee on multiple occasions by letter,
22 email, and phone. Licensee failed to respond to any of these attempts. Between December 13,
23 2017, and May 14, 2018, seven separate notices of investigation with requests for a response
24 were mailed to Licensee at his home and practice addresses of record. Correspondences sent on
25 February 22, 2018, and May 14, 2018, were sent by certified mail; delivery confirmations were
26 received for each of these mailings. The May 14, 2018, request stated in part, "An additional
27 copy of the referenced notice of investigation has been enclosed with this letter, which has a

1 response deadline of May 28, 2018. If you fail to respond by this date, the Oregon Medical
2 Board will suspend your license to practice medicine in the state of Oregon.” Licensee signed a
3 delivery confirmation for this letter, but failed to respond to the Board. Several phone messages
4 were left with a female who stated she was Licensee’s wife, requesting that Licensee call the
5 Board as soon as possible; Licensee never returned the calls. Several email communications
6 were also met with no response. Licensee is required to cooperate with a Board investigation by
7 Board rule, OAR 847-001-0024.

8 4.

9 **CONCLUSIONS OF LAW**

10 Based upon its examination of the record in this case, the Board finds that the acts and
11 conduct of Licensee described above is supported by reliable, probative and substantive evidence
12 and violated the Medical Practice Act, as set forth below:

13 4.1 Licensee’s manner of prescribing high doses of benzodiazepines to multiple
14 patients, to include Patient A, exposed them to the risk of harm, and violated ORS 677.190(1)(a)
15 unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a) any conduct or
16 practice which does or might constitute a danger to the health or safety of a patient or the public.

17 4.2 Licensee violated ORS 677.190(24), by prescribing a controlled substance
18 without a legitimate medical purpose, without following accepted procedures for examination of
19 patients, and without following accepted procedures for record keeping.

20 4.3 Licensee violated ORS 677.190(17), willful violation of any rule adopted by the
21 Board (OAR 847-001-0024), by failing to cooperate with the Board’s investigation, to include
22 failing to respond to Board requests for information.

23 5.

24 **ORDER**

25 The Board has the statutory duty to protect the public from the practice of medicine by
26 licensees who engage in unprofessional conduct and otherwise demonstrate that they cannot be
27 trusted with a medical license. In this case, Licensee exposed patients to the risk of harm in the

1 manner that he prescribed controlled substances and exposed his patients to the risk of harm.
2 Licensee also failed to cooperate with the Board's investigation. In order to protect the public
3 and appropriately address his conduct, license revocation is the appropriate sanction.

4 5.1 IT IS HEREBY ORDERED THAT the license of William Edward Davis, DO, to
5 practice osteopathic medicine in the State of Oregon is revoked.

6 5.2 The Order of Emergency Suspension of June 7, 2018, terminates by operation of
7 law when this Default Order becomes final.

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10 DATED this 10th day of January, 2019.

11 OREGON MEDICAL BOARD
12 State of Oregon

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14 K. DEAN GUBLER, DO
15 BOARD CHAIR

16
17 **Right to Judicial Review**

18 **NOTICE:** You are entitled to judicial review of this Order. Judicial review may be obtained by
19 filing a petition for review with the Oregon Court of Appeals within 60 days after the final order
20 is served upon you. See ORS 183.482. If this Order was personally delivered to you, the date of
21 service is the day it was mailed, not the day you received it. If you do not file a petition for
22 judicial review within the 60-day time period, you will lose your right to appeal.
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