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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of)
DIANE HENNACY POWELL, MD)
LICENSE NO. MD25438) ORDER MODIFYING STIPULATED
ORDER

1.

On January 13, 2011, Diane Hennacy Powell, MD (Licensee) entered into a Stipulated Order with the Oregon Medical Board (Board). This Order placed conditions on Licensee's practice. On July 20, 2011, Licensee submitted a written request to terminate this order.

2.

Having fully considered Licensee's request and compliance with terms 4.2 and 4.3, the Board terminates terms 4.2 and 4.3 of Licensee's January 13, 2011 Stipulated Order effective the date this Order is signed by the Board Chair. All other terms of the January 13, 2011 Stipulated Order are unchanged and remain in full force and effect.

IT IS SO ORDERED this 6th day of October, 2011.

OREGON MEDICAL BOARD
State of Oregon

SIGNATURE REDACTED

RALPH A. YATES, DO
Board Chair

1 and reportable to the Federation of State Medical Boards, National Practitioner Data Bank
2 (NPDB), and the Healthcare Integrity and Protection Data Bank (HIPDB).

3 6.

4 This Order becomes effective the date it is signed by the Licensee.

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7 IT IS SO STIPULATED THIS 17 day of August, 2010.

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10 *SIGNATURE REDACTED*
11 *C* DIANE HENNACY POWELL, MD *HP*

12 IT IS SO ORDERED THIS 17th day of August, 2010.

13 OREGON MEDICAL BOARD
14 State of Oregon

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16 *SIGNATURE REDACTED*
17 KATHLEEN HALEY, JD
18 EXECUTIVE DIRECTOR

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20 _____
21 JAMES JOSEPH PECK, MD
22 MEDICAL DIRECTOR

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1 that live remotely from Licensee's practice location to another care provider. This pattern of
2 substandard practice reflected poor clinical judgment and possible impairment, and led the Board
3 to ask Licensee to undergo a psychiatric evaluation.

4 3.2 The Board's review of Licensee's practice and chart notes to date reveals
5 evidence of a pattern of practice that includes poor management of therapeutic boundaries,
6 incomplete chart notes that reflect a lack of attention to reasonable medical detail, a disorganized
7 approach to treatment, a failure to respond to significant patient symptoms, and concerns over
8 her management of patient medications, to include patient requests for medication changes and
9 refills.

10 3.3 Licensee recently underwent a psychiatric evaluation at the Board's request. In
11 order to protect the public, it is imperative that Licensee cease practicing medicine until the
12 Board completes its investigation, to include having Licensee undergo further evaluation to
13 address whether or not she has a psychiatric or neurological condition that could affect her
14 ability to safely practice medicine.

15 4.

16 Licensee is entitled to a hearing as provided by the Administrative Procedures Act
17 (chapter 183), Oregon Revised Statutes. Licensee may be represented by legal counsel at a
18 hearing. If Licensee desires a hearing, the Board must receive Licensee's written request for
19 hearing within ninety (90) days from the date the mailing of this Notice to Licensee, pursuant to
20 ORS 183.430(2). Upon receipt of a request for a hearing, the Board will notify Licensee of the
21 time and place of the hearing and will hold a hearing as soon as practical.

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5.

The Board orders that pursuant to ORS 677.205(3), the license of Diane Hennacy Powell, MD, be suspended on an emergency basis and that Licensee immediately cease the practice of medicine until otherwise ordered by the Board.

IT IS SO ORDERED THIS 8th day of October, 2010.

OREGON MEDICAL BOARD
State of Oregon

Signature Redacted

LISA A. CORNELIUS, DPM
BOARD CHAIR

1 engaged in the conduct described in paragraph 2 and that this conduct violated ORS
2 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a)(b); and
3 ORS 677.190(13) gross or repeated acts of negligence. Licensee understands that this Order is a
4 public record and is reportable to the National Practitioner Data Bank, Healthcare Integrity and
5 Protection Data Bank, and the Federation of State Medical Boards.

6 4.

7 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order.
8 Effective the date this Order is signed by the Board Chair, Licensee's Order of Emergency
9 Suspension from October 8, 2010, is terminated and Licensee is returned to practice subject to
10 the following terms and conditions:

11 4.1 Licensee will not conduct therapy or treatment sessions by telephone with any
12 patient except when a patient has a medical emergency requiring changes involving medications
13 or refills; and/or coordinating any continuity of care with other health care providers.
14 Subsequent to any telephone session occasioned by a medical emergency or changes involving
15 medications or refills, Licensee will meet with the patient face-to-face within a reasonable time
16 thereafter.

17 4.2 Licensee must complete a charting course that is pre-approved by the Board's
18 Medical Director within six months from the date that this Order is signed by the Board chair.

19 4.3 Licensee must have monthly chart review and mentoring by a board-certified
20 psychiatrist, who is pre-approved by the Board's Medical Director. This chart review and
21 mentorship shall last for six continuous months with the psychiatric mentor submitting monthly
22 reports to the Board's Medical Director. Any costs involving this mentorship shall be borne by
23 Licensee.

24 4.4 Licensee's practice setting and patient records may be subject to no-notice
25 inspections by the Board's Compliance Officer or investigative staff to ensure compliance with
26 the terms of this Order.

