BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of

BRUCE DONALD CARLSON, MD
LICENSE NO. MD07786

STIPULATED ORDER

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. Bruce Donald Carlson, MD (Licensee) is a licensed physician in the State of Oregon.

2.

On October 4, 2018, the Board issued a Complaint and Notice of Proposed Disciplinary Action (Notice) in which the Board proposed taking 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 per violation, 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 in ORS 677.188(4)(a), (b) and (c); ORS 677.190(13) gross or repeated acts of negligence; ORS 677.190(17) willful violation of any rule adopted by the Board, specifically OAR 847-015-0010, OAR 847-015-0030, and OAR 847-050-0035(1); and ORS 677.190(24) prescribing controlled substances without a legitimate medical purpose or without following accepted procedures for examination of patients or for record keeping. Prior to the issuance of the Notice, Licensee entered into an Interim Stipulated Order with the Board on September 1, 2017, in which he agreed to limitations in his prescribing.

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 neither admits nor denies but the Board finds that he
engaged in the conduct described in the October 4, 2018 Notice, and that this conduct violated
ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a),
(b) and (c); ORS 677.190(13) gross or repeated acts of negligence; ORS 677.190(17) willful
violation of any rule adopted by the Board, specifically OAR 847-015-0010, OAR 847-015-
0030, and OAR 847-050-0035(1); and ORS 677.190(24) prescribing controlled substances
without a legitimate medical purpose or without following accepted procedures for examination
of patients or for record keeping. Licensee 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.

4.

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

4.1 The medical license of Licensee is revoked; however, the revocation is stayed.

4.2 Licensee is reprimanded.

4.3 Licensee must pay a civil penalty of $5,000 that must be paid in full within 60
days from the effective date of this Order.

4.4 Licensee is placed on probation for a period of five years and shall report in
person to the Board at each of its quarterly meetings at the scheduled times for a probation
interview, unless otherwise directed by the Board’s Compliance Officer or its Investigative
Committee. Additionally, at the Board’s discretion, interviews may be held electronically
between Licensee and the Board’s Compliance Officer (or its designee) using Board established
protocols for the location and electronic transmission of the meeting. Licensee is responsible for
maintenance of the equipment and technology necessary for the electronic meetings to occur.
Licensee will be notified if and when such meetings are scheduled in lieu of an in-person
appearance.

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4.5 Within 30 days of the effective date of this Order, Licensee must contract with CPEP for the development of an education plan. Licensee must bear the cost of the completion of any CPEP recommendations, the development of an education plan, and any post-education evaluation. Licensee must sign all necessary releases to allow full communication and exchange of documents and reports between the Board and CPEP. Licensee must ensure CPEP submits the education plan and reports directly to the Board.

4.6 Licensee must sign the appropriate paperwork indicating that he agrees to enroll in the education plan, and return the signed documents to CPEP within 15 days of approval of the educational plan by the Board’s Medical Director. Licensee must successfully complete the CPEP education plan, including any post-education evaluation, within 18 months from the date the educational plan is approved. Licensee must comply with any educational recommendations, practice modifications, and timelines set forth by CPEP. Licensee must bear all costs associated with the approved education plan. Any educational mentor must be pre-approved by CPEP and the Board’s Medical Director. Licensee must sign all necessary releases to allow full communication and exchange of documents and reports between the Board, CPEP, and any mentors. Licensee must keep the Board apprised of his compliance with the CPEP education plan throughout its duration.

4.7 Licensee must provide the Board with written proof from CPEP upon successful completion of the approved education plan, including successful completion of any post-education evaluation, as defined above.

4.8 Licensee must not begin treatment for chronic pain with opioids for any new or existing patient. For the purposes of this Order, chronic pain is defined as pain that persists or progresses over a period of time greater than 30 days.

4.9 Licensee must taper opioid medications for any chronic pain patient with an MED over 90 by at least 10% per month until patient’s MED is 90 or less. Alternatively, Licensee may transfer the care of any patient with an MED over 90 to another physician. Licensee may continue to prescribe greater than 90 MED for chronic pain for patients who are currently

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Page 3 – STIPULATED ORDER – Bruce Donald Carlson, MD
enrolled in hospice or who are currently receiving treatment for a diagnosis of cancer. Licensee must certify on the written prescription that the patient is a hospice or cancer patient.

4.10 Licensee must limit his prescribing for acute pain to less than 30 days per year, and with a maximum morphine equivalent dose (MED) of 50.

4.11 For patients taking benzodiazepines and opioids, who have an MED of 90 or less or who have been first tapered to an MED of 90 or less, Licensee must begin to taper benzodiazepines. Licensee must taper by at least 10% per month until the patient is weaned off benzodiazepines. Alternatively, Licensee may transfer the care of any patient for whom he is prescribing benzodiazepines and opioids to another physician. Licensee may continue to prescribe benzodiazepines to patients who are currently enrolled in hospice or have a life expectancy of less than six months. Licensee must certify on the written prescription that the patient is a hospice or cancer patient.

4.12 Subsequent to the tapering outlined in terms 4.9 and 4.11, Licensee must not concomitantly prescribe opioids with benzodiazepines.

4.13 Licensee must not concomitantly prescribe opioids with carisoprodol (Soma) to any patient.

4.14 Within six months from the effective date of this Order, Licensee must successfully complete courses on documentation, ethics and professionalism that have been pre-approved by the Board’s Medical Director.

4.15 The Interim Stipulated Order of September 1, 2017, terminates effective the date the Board Chair signs this Order.

4.16 Licensee’s practice is subject to no-notice visits and chart audits by the Board or its designee.

4.17 Licensee must notify the Board’s Compliance Section of all practice locations, and any changes in practice locations within ten days of the change.

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

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Page 4 –STIPULATED ORDER – Bruce Donald Carlson, MD
4.19 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED THIS \underline{5}^{th} \hspace{1cm} day of \underline{April}, 2018.

\underline{BRUCE DONALD CARLSON, MD}

IT IS SO ORDERED THIS \underline{11}^{th} \hspace{1cm} day of \underline{July}, 2019.

OREGON MEDICAL BOARD
State of Oregon

\underline{K. DEAN GUBLER, DO}
BOARD CHAIR