

1. BEFORE THE
2 OREGON MEDICAL BOARD
3 STATE OF OREGON

4 In the Matter of)
5 ANDREW CHO TSEN, MD) STIPULATED ORDER
6 LICENSE NO. MD20029)
7)

8 1.

9 The Oregon Medical Board (Board) is the state agency responsible for licensing,
10 regulating and disciplining certain health care providers, including physicians, in the State of
11 Oregon. Andrew Cho Tsen, MD (Licensee) is a licensed physician in the State of Oregon.

12 2.

13 On May, 2, 2019, Licensee entered into an Interim Stipulated Order with the Board in
14 which he agreed to voluntarily cease performing robotic mitral valve surgery pending the
15 completion of the Board's investigation. On February 25, 2021, the Board issued a Complaint
16 and Notice of Proposed Disciplinary Action (Notice) in which the Board proposed to take
17 disciplinary action against Licensee by imposing up to the maximum range of potential sanctions
18 identified in ORS 677.205(2), which may include the revocation of license, a \$10,000 civil
19 penalty per violation, and assessment of costs, for violations of the Medical Practice Act,
20 specifically, ORS 677.190(1)(a) unprofessional or dishonorable conduct as defined in
21 677.188(4)(a) any conduct or practice contrary to recognized standards of ethics of the medical
22 profession or any conduct or practice which does or might constitute a danger to the health or
23 safety of a patient, and ORS 677.190(13) repeated negligence and gross negligence in the
24 practice of medicine.

25 3.

26 Licensee and the Board desire to settle this matter by entry of this Stipulated Order.
27 Licensee understands that he has the right to a contested case hearing under the Administrative
28 Procedures Act (chapter 183), Oregon Revised Statutes. Licensee fully and finally waives the

1 right to a contested case hearing and any appeal therefrom by the signing of and entry of this
2 Order in the Board's records. Licensee neither admits nor denies, but the Board finds that
3 Licensee's conduct as described in the February 25, 2021, Complaint and Notice of Proposed
4 Disciplinary Action violated ORS 677.190(1)(a) as defined in 677.188(4)(a), and ORS
5 677.190(13). Licensee understands that this Order is a public record and is a disciplinary action
6 that is reportable to the National Practitioner Data Bank and the Federation of State Medical
7 Boards.

8 **4.**

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

11 **4.1 Licensee must not perform robotic mitral valve surgery on any patient.**

12 **4.2 Licensee must, at his own expense, enter into an agreement with one or more**
13 **board-certified cardiovascular surgeons who are pre-approved by the Board's Medical Director**
14 **to serve as Licensee's practice mentor or mentors. Licensee must review indications and**
15 **operative plans, including a review of imaging, with a practice mentor prior to any mitral valve**
16 **surgery, whether in conjunction with another procedure or not. Such review is also required for**
17 **any emergency involving mitral valve repair, although the mentor need not necessarily complete**
18 **review of the images or meet with or examine the patient prior to surgery if that review would**
19 **delay a legitimate emergency. Should such a rare case occur, a full review must be conducted**
20 **within 24 hours.**

21 **4.3 The practice mentor must record this review in the patient record. Licensee must**
22 **meet with a mentor quarterly for review of Licensee's morbidity and mortality rates for all valve**
23 **surgery. A mentor is to provide quarterly written reports to the Board citing specific morbidity**
24 **and mortality events (if any), including the date, venue, and circumstances, and comment on**
25 **Licensee's ability to safely and competently practice medicine with specific notes on valve**
26 **surgery.**

27 **4.4 Licensee must inform the Compliance Section of the Board of any and all practice**
28 **sites, as well as any changes in practice address(es), employment, or practice status within 10**

1 business days. Additionally, Licensee must notify the Compliance Section of any changes in
2 contact information within 10 business days.

3 4.5 The Interim Stipulated Order of May, 2, 2019, terminates effective the date the
4 Board Chair signs this Stipulated Order.

5 4.6 Licensee must obey all federal and Oregon state laws and regulations pertaining
6 to the practice of medicine.

7 4.7 Licensee stipulates and agrees that any violation of the terms of this Order shall
8 be grounds for further disciplinary action under ORS 677.190(17).

9 4.8 Licensee stipulates and agrees that this Order becomes effective the date it is
10 signed by the Board Chair.

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12 IT IS SO STIPULATED THIS 30th day of March, 2021.

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14 
15 _____
16 ANDREW CHO TSEN, MD

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18 IT IS SO ORDERED THIS 1st day of April, 2021.

19
20 OREGON MEDICAL BOARD
21 State of Oregon

22
23 
24 _____
25 KATHLEEN M. HARDER, MD
26 BOARD CHAIR
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