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BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

5 In the Matter of)
6 DIANE HENNACY POWELL, MD) INTERIM STIPULATED ORDER
7 LICENSE No. MD25438)

8 1.

9 The Oregon Medical Board (Board) is the state agency responsible for licensing,
10 regulating and disciplining certain healthcare providers, including physicians, in the state of
11 Oregon. Diane Hennacy Powell, MD, (Licensee) is a licensed physician in the state of Oregon.

12 2.

13 The Board received credible information regarding Licensee that resulted in the Board
14 initiating an investigation and reviewing her care of multiple patients. The results of the Board's
15 investigation to date have raised concerns to the extent that the Board believes it necessary that
16 Licensee agree to immediately modify her practice of medicine until the investigation is
17 completed.

18 3.

19 In order to address the concerns of the Board, Licensee and the Board agree to enter into
20 this Interim Stipulated Order, which provides that Licensee shall comply with all of the
21 following conditions, effective the date this Order is signed by Licensee:

22 3.1 Licensee shall voluntarily and immediately cease accepting any new patients, to
23 include evaluating new patients, prescribing for new patients, and/or accepting patients that are
24 being transferred or referred to her from a hospital, clinic, or another health care provider.

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1 3.2 Licensee shall immediately transfer her patients whom she primarily treats by
2 telephone sessions. Licensee shall cease to conduct telephone sessions with any current patients
3 by Friday, September 4, 2010, and instead agrees to see these patients in person for therapy
4 sessions and for medication refills. If a patient resides out of state or lives far from Licensee's
5 practice in Medford, Oregon, then Licensee shall transfer the patient, within thirty-days, to
6 another licensed psychiatrist or mental health provider for treatment and/or medication
7 management.

8 3.3 Licensee will obtain a practice mentor who will review her patient care and
9 facilitate transfer of telephone consultations. This mentor shall be a licensed Oregon psychiatrist
10 with an unrestricted license and be pre-approved by the Board's Medical Director.

11 3.4 Licensee's practice setting and patient records may be subject to no-notice
12 inspections by the Board's Compliance Officer or investigative staff to ensure compliance with
13 the terms of this Order.

14 3.5 Licensee understands that violating any term of this Order will be grounds for
15 disciplinary action under ORS 677.190(17).

16 4.

17 At the conclusion of the Board's investigation, Licensee's status will be reviewed in an
18 expeditious manner. Following that review, if the Board determines that Licensee shall not be
19 permitted to return to the unrestricted practice of medicine, Licensee may request a hearing to
20 contest that decision.

21 5.

22 This Order is issued by the Board pursuant to ORS 677.265(1) and (2) for the purpose
23 of protecting the public, and making a complete investigation in order to fully inform itself with
24 respect to the performance or conduct of the Licensee and Licensee's ability to safely and
25 competently practice medicine. Pursuant to ORS 677.425, Board investigative materials are
26 confidential and shall not be subject to public disclosure, nor shall they be admissible as
27 evidence in any judicial proceeding. However, as a stipulation this Order is a public document

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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SIGNATURE REDACTED

10  DIANE HENNACY POWELL, MD

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

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OREGON MEDICAL BOARD
State of Oregon

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SIGNATURE REDACTED

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KATHLEEN HALEY, JD
EXECUTIVE DIRECTOR

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JAMES JOSEPH PECK, MD
MEDICAL DIRECTOR

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