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BEFORE THE
BOARD OF MEDICAL EXAMINERS
STATE OF OREGON

In the Matter of)
DARRYL BRETT GEORGE, DO) STIPULATED ORDER
LICENSE NO. DO22049)
)

1.

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

2.

The Board proposed taking disciplinary action pursuant to ORS 677.205 against Licensee for violations of the Medical Practices Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a). The acts and conduct alleged to violate the Medical Practices Act are:

2.1 On or about November 22, 1999, Licensee, a 41 year old osteopathic physician, began to treat Patient A, a 25 year old female, for multiple musculoskeletal complaints secondary to injuries, emotional issues of anxiety, depression, and dependency and newly diagnosed epilepsy. Patient A's health history included episodic use of controlled substances and alcohol (while on anti-convulsant medications). Licensee prescribed various psychotropic medications for Patient A over time, to include Luvox, Ativan (a Schedule IV medication), and later Xanax (Schedule IV) and Valium (Schedule IV), to address her emotional and mental condition. He also engaged in extensive counseling sessions with Patient A, often scheduling these in the late afternoon. Licensee and Patient A began to see each other socially toward the end of the summer of 2000. In the late September of 2000, Licensee and Patient A spent the night together in a private residence. Patient A consumed alcohol provided by Licensee, and they engaged in sexual intercourse. They continued seeing each other, engaging in sexual intercourse over the next six

1 months. Licensee discontinued treating Patient A on or about October 25, 2000. The sexual
2 relationship ended in late March of 2001.

3 2.2 After learning that the Board was investigating his relationship with Patient A,
4 Patient A states Licensee advised her not to tell Board investigators about their sexual
5 relationship. Licensee denies that this occurred, but does admit that he advised patient A of the
6 consequences to him if she reported this to the Board.

7 2.3 Patient B presented to Licensee on January 21, 2000, complaining of pain in the
8 lower back. After conducting an initial assessment, Licensee asked Patient B to return for a full
9 structural examination. Patient B returned to the clinic on January 28, 2000 for the
10 recommended examination. Licensee instructed Patient B to undress to her bra and underpants
11 and don a robe. Without offering Patient B a chaperone, Licensee proceeded to conduct an
12 examination, during the course of which he asked Patient B to remove her robe and unhooked
13 her bra while she was lying on her stomach. The examination was both visual and palpative (by
14 touching). In addition, Licensee treated Patient B with palpation and manipulation. Licensee
15 subsequently directed Patient B to move from lying on her stomach to turn over and lie on her
16 back. Licensee removed Patient B's bra for further treatment, which included palpation of the
17 ribs. Licensee also evaluated the sacrum, pelvis and acetabular that included range of motion
18 and strength testing of the hips, upper thighs and lower back. On one occasion, Licensee
19 readjusted her panties. In conducting this examination and providing treatment, Licensee failed
20 to offer Patient B a chaperone, failed to adequately explain the procedures to Patient B, and
21 conducted them while Patient B was disrobed to only her panties—which is considered
22 inappropriate for this medical examination and is insensitive to the feelings of the patient.

23 2.4 On September 5, 2001, Licensee signed a Stipulated Order to not see female
24 patients without the presence of a medically trained chaperone. The Board finds that Licensee
25 functioned properly under the terms of this Order.

26 3.

27 Licensee and the Board desire to settle this matter by the entry of this Stipulated Order.

28 Licensee understands that he has the right to a contested case hearing under the Administrative

1 Procedures Act (chapter 183), Oregon Revised Statutes, and fully and finally waives the right to
2 a contested case hearing and any appeal therefrom by the signing of and entry of this Order in the
3 Board's records. Licensee stipulates that he engaged in the conduct described in paragraph 2 and
4 that this conduct violated ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined
5 in ORS 677.188(4)(a).

6 4.

7 Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order,
8 which revokes the license of Licensee to practice medicine. The execution of this Order,
9 however, is stayed, and the Licensee is placed on probation for a period of ten (10) years subject
10 to the following terms of probation:

11 4.1 Licensee is reprimanded.

12 4.2 Licensee is fined \$5,000, to be paid in full within one year from the signing of this
13 Order.

14 4.3 Licensee is suspended from the practice of medicine for 90 days. This period of
15 suspension will commence within 30 days from the signing of this Order.

16 4.4 Licensee will not diagnose, treat, or care for female patients without a medically
17 trained chaperone present at all times.

18 4.5 Licensee shall, at his own expense, engage in psychotherapy with a licensed
19 mental health professional that is approved by the Board's Medical Director. The
20 mental health professional shall submit quarterly reports documenting Licensee's
21 status and progress in the treatment program. Licensee shall, at his own expense,
22 also undergo a bi-annual psychological assessment, with reports submitted
23 directly to the Board.

24 4.6 Licensee will undergo quarterly polygraph compliance monitoring to ensure that
25 he is complying with the terms of this Order.

26 4.7 Licensee shall report in person to the Board at each of its regularly scheduled
27 quarterly meetings at the scheduled times for a probationer interview unless
28 ordered to do otherwise by the Board.

