



LPRO: LEGISLATIVE POLICY AND RESEARCH

# MEMORANDUM

Prepared for: Oregon State Senate  
Date: January 23, 2020  
By: Tyler Larson, Analyst  
Re: Legislative Review of Executive Appointments

## OREGON MEDICAL BOARD

The Governor has appointed the following individuals to the Oregon Medical Board subject to Senate confirmation.<sup>1</sup>

### Appointees

Kathleen Harder of Salem, Reappointment  
Alexandria Mageehon of Coos Bay, New Appointment  
Cheryl Pereira of Corvallis, Reappointment  
Jill Shaw of Portland, New Appointment

### Term

Harder: March 1, 2020 – February 28, 2023  
Mageehon: March 1, 2020 – February 28, 2023  
Pereira: March 1, 2020 – February 28, 2023  
Shaw: March 1, 2020 – February 28, 2023

### Appointment/Confirmation Authority

[ORS 677.235](#)

### Statement of Economic Interest<sup>2</sup>

Not required.

### Statutory Requirements<sup>3</sup>

The board consists of 14 members appointed by the Governor and subject to confirmation by the Senate.<sup>4</sup> All members of the board must be residents of this state. Members who are physicians and the member who is a physician assistant or a retired physician assistant must have been in the active practice of their profession for at least five years immediately preceding their appointment. Members serve three year terms and at the pleasure of the Governor. Members of the board are entitled to compensation and expenses as provided in ORS 292.495 and the board may provide by rule for greater compensation.

<sup>1</sup> See [Or. Const. art. III sect. 4](#), [ORS 171.562](#), [ORS 171.565](#).

<sup>2</sup> See [ORS 244.050](#).

<sup>3</sup> See [ORS 182.100](#) for affirmative action policy and [ORS 236.115](#) for diversity criteria.

<sup>4</sup> [ORS 677.235](#).

Seven members must have the degree of Doctor of Medicine (CAHN, GUPTA, **HARDER**, LACE, LIN, LYONS, NEWMAN). These members may be selected by the Governor from a list of three to five candidates submitted by the Oregon Medical Association. At least one member must be appointed from each federal congressional district.

Two members must have the degree of Doctor of Osteopathic Medicine (GUBLER, POULSEN, **SHAW**). These members may be selected by the Governor from a list of three to five candidates submitted by the Osteopathic Physicians and Surgeons of Oregon, Inc.

One member must have the degree of Doctor of Podiatric Medicine (SCHINK). These members may be selected by the Governor from a list of three to five candidates submitted by the Oregon Podiatric Medical Association.

One must be a licensed physician assistant or a retired physician assistant (CRAMER). These members may be selected by the Governor from a list of three to five candidates submitted by the Oregon Society of Physician Assistants.

Three members must be members of the public who represent health consumers (LOUIE, **MAGEEHON**, **PEREIRA**). Public member may not be otherwise eligible for appointment to the board. A public member, or the spouse, domestic partner, child, parent or sibling of a public member, may not be a licensed health care professional in this state.

The chairperson must select at least one but no more than three former board members to serve as emeritus board members. Emeritus members are subject to approval by the Governor. An emeritus member may serve for up to three years after the date on which the person's term as a board member ended, and at the pleasure of the Governor.

## **Duties and Authority**

Board members must, before entering upon their duties as members, shall take and subscribe an oath to support the Constitution and laws of the State of Oregon and of the United States, and to perform well and faithfully and without partiality the duties of such office according to the best of their knowledge and ability.<sup>5</sup>

The board must:<sup>6</sup>

- Elect annually from its members a chairperson, vice chairperson, and secretary;
- Hold meetings as determined by the board, and at least twice each year for the examination of applicants for licenses;
- Provide notice to the practitioners authorized to prescribe opioids or opiates of any guidelines or recommendations established by any association of practitioners whose members are regulated by the board;
- Establish by rule the dimension and design for the printing and posting of the signage required for physicians participating in the Medicare assignment program; and,

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<sup>5</sup> [ORS 677.240.](#)

<sup>6</sup> [ORS 677.091-837.](#)

- Determine by rule what constitutes medical incompetence, unprofessional conduct, physical incapacity or impairment.

The board may:<sup>7</sup>

- Adopt necessary and proper rules for administration of the board's statutory authority, including licensing standards and tests for the practice of medicine and podiatry, fees and charges to carry out its legal responsibilities, and for the general supervision of the practice of medicine and podiatry within the state;
- Issue, deny, suspend and revoke licenses and limited licenses, assess costs of proceedings and fines and place licensees on probation;
- Make its personnel and facilities available to other regulatory agencies of this state, or other bodies interested in the development and improvement of the practice of medicine or podiatry in this state, upon terms and conditions for reimbursement as are agreed to by the board and the other agency or body;
- Appoint examiners and employ or contract with organizations, agencies and persons to prepare examination questions and score examination papers;
- Determine the schools, colleges, universities, institutions and training acceptable in connection with licensing administered by the board;
- Prescribe the time, place, method, manner, scope and subjects of examinations;
- Prescribe all forms that it considers appropriate for the purposes of its work, and require the submission of photographs and relevant personal history data by applicants for licensure;
- Require the fingerprints of a person who is applying for a license that is issued by the board, applying for renewal of a license that is issued by the board, or under investigation by the board;
- Administer oaths, issue notices and subpoenas in the name of the board, enforce subpoenas, hold hearings and perform such other acts as are reasonably necessary to carry out its duties;
- Apply to any circuit court of this state, or the judge thereof, to compel obedience if any licensee fails to comply with any lawful rule or order of the board, or fails to obey any subpoena issued by the board, or refuses to testify concerning any matter on which the licensee may lawfully be interrogated by the board;
- Employ consultants, investigators and staff for the purpose of enforcing the laws administered by the board;
- Maintain a revolving account in a sum not to exceed \$50,000 for the purpose of receiving and paying pass-through moneys relating to peer review and in administering programs relating to the education and rehabilitation of licensees in the areas of chemical substance abuse, inappropriate prescribing, and medical competence;
- Maintain a petty cash fund in the amount of \$5,000;
- Investigate any alleged violation of the statutes and rules administered by the board;
- Maintain a suit for an injunction against any person practicing medicine without a license issued by the board;

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<sup>7</sup> [ORS 677.089-837](#).

- Investigate any evidence that appears to show that a licensee licensed by the board is or may be medically incompetent or is or may be guilty of unprofessional or dishonorable conduct or is or may be a licensee with a physical incapacity or an impairment;
- Direct and order a mental, physical or medical competency examination or any combination thereof, and make such investigation, including the taking of depositions or otherwise in order to fully inform itself with respect to the performance or conduct of a licensee;
- Request any medical organization to assist the board in preparing for or conducting any medical competency examination that the board may consider appropriate;
- Release information concerning the revocation or restriction of a physician's activities at a health care facility to any other licensed health care facility licensed at which that physician holds or has applied for staff privileges or other right to practice medicine or podiatry at the facility;
- Inspect records of receipt and distribution of prescription drugs; and,
- Discipline any person licensed, registered or certified by the board including action against the license and assessment of civil penalties.

## Executive Appointments Board Roster

### Medical Board, Oregon

Agency: None  
Authorization: ORS 677.235, SB 905  
Members: Min: 14 Max: 14  
Term Length: 3 years Limit: 2  
Senate confirmation required? Yes

**Policy Area:** Health

**Board Contact:**

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### Current Appointments:

**Member Name and Address (Alphabetical)**

Robert M Cahn, MD Doctor of Medicine	Position Number: 2
Term(s): 03-01-2019 - 02-28-2022 06-01-2016 - 02-28-2019	

Erin L Cramer Physician Assistant	Position Number: 13
Term(s): 03-01-2019 - 02-28-2022 09-28-2018 - 02-28-2019	

K. Dean Gubler, DO Osteopathic Physician	Position Number: 3
Term(s): 03-01-2017 - 02-29-2020 03-01-2014 - 02-28-2017	

Saurabh Gupta Doctor of Medicine	Position Number: 10
Term(s): 03-01-2019 - 02-28-2022 03-15-2017 - 02-28-2019	

Kathleen M Harder Doctor of Medicine, CD 5	Position Number: 6
Term(s): 03-01-2020 - 02-28-2023 05-03-2017 - 02-29-2020	

Kathleen M Harder Doctor of Medicine, CD 5	Position Number: 6
Term(s): 03-01-2020 - 02-28-2023 05-03-2017 - 02-29-2020	

James K Lace, MD Doctor of Medicine	Position Number: 5
Term(s): 03-01-2018 - 02-28-2021 04-01-2015 - 02-28-2018	

# Executive Appointments Board Roster

## Medical Board, Oregon

**Member Name and Address (Alphabetical)**

**Policy Area:** Health

Charlotte Lin Doctor of Medicine, CD2 Term(s): 03-01-2018 - 02-28-2021	Position Number: 4
Patti A Louie, PhD Public Member Term(s): 05-25-2018 - 02-28-2021	Position Number: 7
Jennifer Lyons, MD Doctor of Medicine Term(s): 03-01-2019 - 02-28-2022 06-01-2016 - 02-28-2019	Position Number: 8
Ali Mageehon, PhD Public Member Term(s): 03-01-2020 - 02-28-2023	Position Number: 14
Barbara Newman, MD Doctor of Medicine Term(s): 09-23-2019 - 02-28-2022	Position Number: 9
Cheryl B Pereira Public Member Term(s): 03-01-2020 - 02-28-2023 05-03-2017 - 02-29-2020	Position Number: 11
Cheryl B Pereira Public Member Term(s): 03-01-2020 - 02-28-2023 05-03-2017 - 02-29-2020	Position Number: 11
Chris Poulsen Osteopathic Physician Term(s): 03-01-2019 - 02-28-2022	Position Number: 1
Andrew Schink Podiatrist Term(s): 03-01-2018 - 02-28-2021	Position Number: 12
Jill M Shaw, DO Osteopathic Physician Term(s): 03-01-2020 - 02-28-2023	Position Number: 3