

BEFORE THE
OREGON MEDICAL BOARD
STATE OF OREGON

In the Matter of }
ENRIQUE ALEXANDER ABREU, DO } STIPULATED ORDER
LICENSE NO. DO25617 }
}

1.

9 The Oregon Medical Board (Board) is the state agency responsible for licensing,
10 regulating and disciplining certain health care providers, including osteopathic physicians, in the
11 State of Oregon. Enrique Alexander Abreu, DO (Licensee) is a licensed osteopathic physician in
12 the State of Oregon.

2.

14 Licensee is a board-certified anesthesiologist practicing in Portland, Oregon. On April 5,
15 2018, Licensee entered into a Stipulated Order with the Board which placed conditions on
16 Licensee's Oregon osteopathic license. On December 17, 2019, the Board issued a Complaint
17 and Notice of Proposed Disciplinary Action in which the Board proposed to take disciplinary
18 action by imposing up to the maximum range of potential sanctions identified in ORS
19 677.205(2), which may include the revocation of license, a \$10,000 civil penalty per violation,
20 and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical
21 Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined in
22 ORS 677.188(4)(a) any conduct contrary to recognized standards of ethics, or any conduct or
23 practice which does or might constitute a danger to the health or safety of a patient or the public;
24 ORS 677.190(17) willfully violating any Board order or rule, specifically OAR 847-001-0024(2)
25 Compliance; and ORS 677.415(4) Licensee shall self-report within 10 working days any official
26 action taken against the Licensee.

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3.

2 Licensee and the Board desire to settle this matter by the entry of this Stipulated Order.
3 Licensee understands that he has the right to a contested case hearing under the Administrative
4 Procedures Act (Oregon Revised Statutes chapter 183), and fully and finally waives the right to a
5 contested case hearing and any appeal therefrom by the signing of and entry of this Order in the
6 Board's records. Licensee neither admits nor denies, but the Board finds that Licensee engaged
7 in conduct as described in the December 17, 2019, Complaint and Notice of Proposed
8 Disciplinary Action, and that this conduct violated the Medical Practice Act, to wit ORS
9 677.190(1)(a), as defined in ORS 677.188(4)(a); ORS 677.190(17), specifically OAR 847-001-
10 0024(2); and ORS 677.415(4). Licensee understands that this Order is a public record and is a
11 disciplinary action that is reportable to the National Practitioner Data Bank and the Federation of
12 State Medical Boards.

4.

14 Licensee and the Board agree that the Board will close this investigation and resolve this
15 matter by entry of this Stipulated Order, subject to the following conditions:

16 4.1 Licensee is reprimanded.

17 4.2 Licensee must pay a civil penalty of \$10,000 no later than thirteen months from
18 the date the Board Chair signs this Order. Licensee may make payments, as long as no payment,
19 excepting the final payment, is less than \$100. No payment is required until the active
20 suspension period described in term 4.3 of this Order is completed.

21 4.3 Licensee's osteopathic medicine license is suspended for six months effective
22 April 3, 2020, with the final two months of suspension held in abeyance.

23 4.4 Licensee is placed on probation for ten years effective the first day of the month
24 following the month in which this Order becomes effective. Licensee must report in person to
25 the Board at each of its quarterly meetings at the scheduled times for a probation interview,
26 unless otherwise directed by the Board's Compliance Officer or its Investigative Committee.
27 Interviews may be held electronically, at the Board's discretion, between Licensee and the

1 Board's Compliance Officer (or its designee) using Board established protocols for the location
2 and electronic transmission of the meeting. Licensee is responsible for supplying and
3 maintaining the equipment and technology necessary for him to participate in the electronic
4 meetings. Licensee will be notified if and when such meetings are scheduled in lieu of an in-
5 person appearance at a quarterly Board meeting. After five years of continued compliance with
6 all the terms of this Order, Licensee may submit a written request for relief from this term.

7 4.5 Licensee must not conduct any clinical encounter with any female patient without a
8 medically trained chaperone being present throughout the course of the encounter. The chaperone
9 must either hold an Oregon license to practice a health care profession or must complete a course
10 for medical chaperones that has been pre-approved by the Board's medical director. The
11 chaperone, if clinically trained to do so, may room the patient and take vital signs prior to the
12 Licensee entering the room. After Licensee is in the room, the chaperone must only observe the
13 Licensee's behavior and actions throughout the exam, procedure, or clinical encounter; the
14 chaperone may not have any other clinical or administrative responsibilities while Licensee is in
15 the room. The presence of the chaperone must be immediately documented in the patient chart.
16 The chaperone must not be a friend or relative of the patient or Licensee.

17 4.6 Licensee must not treat any patient with IV infusions for a mental health condition,
18 to include depression, or for any other condition if the patient has a co-existing mental health
19 condition, without a current written referral from a psychiatrist. Infusions must occur within 30
20 days from the date of referral, up to a maximum of six infusions may occur as part of a treatment
21 course. Any further IV infusion treatments must be preceded by a patient re-assessment by the
22 referring psychiatrist and a new written referral to Licensee. Written referrals must become part of
23 the patient chart.

24 4.7 Licensee must not treat patients with oral anti-depressant medications.

25 4.8 Licensee and his practice are subject to no notice office visits and chart audits
26 conducted by the Board's designee.

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1 4.9 The Stipulated Order of April 5, 2018, terminates effective the date the Board Chair
2 signs this Order.

3 4.10 Licensee must obey all Federal and Oregon State laws and regulations pertaining
4 to the practice of medicine.

5 4.11 Licensee stipulates and agrees that any violation of the terms of this Order shall
6 be grounds for further disciplinary action under ORS 677.190(17).

7 5.

8 This Order becomes effective the date it is signed by the Board Chair.

10 IT IS SO STIPULATED this 7 day of March 2020.

ENRIQUE ALEXANDER ABREU, DO

14 IT IS SO ORDERED this 21 day of April 2020.

OREGON MEDICAL BOARD
State of Oregon

KATHLEEN HARDER, MD
Board Chair