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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of  
MARK STEVEN METZGER, MD  
LICENSE NO. MD23691

}

} STIPULATED ORDER

}

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the state of Oregon. Mark Steven Metzger, MD (Licensee) is a licensed physician in the state of Oregon.

2.

The Board is prepared to take disciplinary action by imposing up to the maximum range of potential sanctions identified in ORS 677.205(2), to include the revocation of license, a \$10,000 fine, and assessment of costs, pursuant to ORS 677.205 against Licensee for violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a); and ORS 677.190(6) conviction of any offense punishable by incarceration in a Department of Corrections institution.

3.

Licensee entered into an Interim Stipulated Order with the Board on March 17, 2010, in which he agreed to voluntarily withdraw from the active practice of medicine. Licensee's medical license was automatically suspended on September 2, 2010, pursuant to ORS 677.225(1)(b), because Licensee was an inmate in a penal institution. Licensee was released from prison on November 10, 2011, and placed on 42 months of post-prison supervision. Licensee's acts and conduct that violated the Medical Practice Act are:

3.1 Licensee was convicted pursuant to his plea of guilty in Multnomah County Circuit Court of one count of Attempted Sexual Abuse in the First Degree (Class C felony).

1 The criminal investigation revealed that Licensee had attempted acts of sexual abuse against a  
2 12 year old child, these acts occurred outside Licensee's medial practice. On August 31, 2010,  
3 Licensee was sentenced to 18 months of confinement by the Oregon Department of  
4 Corrections. Licensee's sentence included 42 months of post-prison supervision. Licensee  
5 has completed his term of confinement and is now under post-prison supervision.

6 3.2 On various occasions between May 2002 and September 2009, Licensee self-  
7 prescribed various medications, to include paroxetine (Paxil), trazodone, alprazolam (Xanax,  
8 Schedule IV), and busiprone.

9 4.

10 Licensee and the Board agree to close this investigation with this Stipulated Order in  
11 which Licensee agrees to surrender his license while under investigation, consistent with the  
12 terms of this Order. Licensee understands that he has the right to a contested case hearing  
13 under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes and fully  
14 and finally waives the right to a contested case hearing and any appeal therefrom by the  
15 signing of and entry of this Order in the Board's records. Licensee stipulates that he engaged  
16 in the conduct described in paragraph 3 above and that this conduct violated the Medical  
17 Practice Act, to wit: ORS 677.190(1)(a) unprofessional or dishonorable conduct, as defined  
18 by ORS 677.188(4)(a); and ORS 677.190(6) conviction of any offense punishable by  
19 incarceration in a Department of Corrections institution. Licensee understands that this  
20 document is a public record and is reportable to the National Practitioners Data Bank, the  
21 Healthcare Integrity and Protection Data Bank and the Federation of State Medical Boards.

22 5.

23 Licensee and the Board agree to resolve this matter by the entry of this Stipulated  
24 Order, subject to the following conditions:

25 5.1 Licensee surrenders his license to practice medicine while under investigation.  
26 This surrender of license becomes effective the date the Board Chair signs this Order.

1           5.2     Licensee stipulates and agrees that any violation of the terms of this Order  
2 would be grounds for further disciplinary action under ORS 677.190(17).

3           5.3     This Order becomes effective on the date it is signed by the Board Chair.  
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5                   IT IS SO STIPULATED this 9<sup>th</sup> day of JULY, 2012.  
6

7                                   **SIGNATURE REDACTED**

8                                   \_\_\_\_\_  
9                                   MARK STEVEN METZGER, MD

10                   IT IS SO ORDERED this 12<sup>th</sup> day of July, 2012.  
11

12                                   OREGON MEDICAL BOARD  
13                                   State of Oregon

14                                   **SIGNATURE REDACTED**

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16                                   W. KENT WILLIAMSON, MD  
17                                   BOARD CHAIR  
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