

BEFORE THE BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of the License of:

Dr. Mihaela Pepel N.D.,

Licensee.

Case No. 24-05-13

**Final Order by Default
REPRIMAND**

The Board of Naturopathic Medicine (Board) is the state agency responsible for licensing, regulating and disciplining naturopathic physicians in the State of Oregon, pursuant to Oregon Revised Statutes (ORS) chapter 685 and Oregon Administrative Rules (OAR) chapter 850., Dr. Mihaela Pepel N.D. (Licensee) is a licensed naturopathic physician in Oregon, and is subject to the jurisdiction of the Board.

1.

Board Executive Director sent Licensee a courtesy copy of a Notice of Proposed Discipline to the email of record on October 7, 2024. Licensee responded to the email on October 16, 2024, stating in relevant part: “I am writing in response to the Notice of Proposed Disciplinary Action, Case No. 24-05-13, as received on October 7, 2024. While I am not requesting a formal hearing, I would like to provide additional context and explanation for the concerns raised in the notice.” Licensee’s response included similar comments previously written and provided to the Board as part of the licensee investigation. On October 17, 2024, Board Executive Director responded to Licensee’s email notifying Licensee that an original signed Notice of Proposed Discipline will be sent via certified mail to the mailing address of record. The email further noted; “[a]s stated in paragraphs 8-11 of the Notice of Proposed Discipline, you have 21 days to request a hearing, and if you do not request a hearing 21 days from the postmark date on the certified mail, the Board will enter a default judgement of the discipline proposed in the Notice.”

2.

Board Executive Director sent licensee the original signed Notice of Proposed Discipline on October 21, 2024, via certified mail to the mailing address of record. The enclosed cover letter

stated: “[p]lease see the enclosed Board Notice of Proposed Discipline, dated October 21, 2024. Please review the Notice in its entirety with particular attention to paragraphs 8-11, regarding the instructions and timelines for submitting a request for a hearing on this matter if you choose to do so. Please note the 21-day window to request a hearing starts today.” Licensee signed and dated the certified mail return slip on or about October 24, 2024.

3.

The Notice of Proposed Discipline informed Licensee that a “request for hearing must be received by the Board within 21 days from the date of mailing of this notice and must be accompanied by a written answer to the charges contained in this Notice. If a request for hearing is not received within 21 days, the right to hearing is waived.” The Notice also stated if Licensee “fail[s] to request a hearing within 21 days...the Board may issue a final order by default revoking your license. If the Board issues a default order, the contents of the Board’s file automatically become part of the evidentiary record of this disciplinary action for the purpose of proving a prima facie case.”

4.

The Board did not receive a hearing request within 21 days of the October 21, 2024, post marked date of the Notice. The Board did not receive a hearing request within 21 days of October 24, 2024, date of signature on the certified mail return slip.

5.

NOW, THEREFORE, after consideration of the relevant records and files of the Board relating to this matter, the Board incorporates the findings of fact set forth in the October 21, 2024, Notice of Proposed Discipline, to come to the following conclusions of law and finds license in violation of OAR 850-050-0010(1)(b)(C), the failure to act in accordance with the American Association of Naturopathic Physicians Code of Ethics as adopted by the Board, in this Final Default Order.

Conclusions of Law

Licensee did not adhere to standard hygiene practices, or accepted standards of care to reduce the risk of exposure to bloodborne pathogens to her patient and did not take steps to control those risks. This conduct violates the recognized standard of ethics of the profession, OAR 850-050-0010(1)(b)(C), the failure to act in accordance with the American Association of Naturopathic Physicians Code of Ethics as adopted by the Board, specifically:

4) Performance: A naturopathic physician shall perform professional tasks and responsibilities to the best of the naturopathic physician's ability, and standards of care and refrain from engaging in any behavior that will detract from his or her ability to engage in the competent practice of naturopathic medicine.

5) Obligation: The fundamental and primary obligation of a naturopathic physician is to the patient and the maintenance and improvement of the patient's health and wellbeing.

Final Default Order

The Board hereby orders that Licensee be REPRIMANDED for the violations described above.

DATED this ___25___ day of ___November_____ 2024.

BOARD OF NATUROPATHIC MEDICINE
State of Oregon



Mary-Beth Baptista, JD
Executive Director

NOTICE OF RIGHT TO JUDICIAL REVIEW

You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this order. Judicial review is in accordance with ORS 183.482(1) to the Oregon Court of Appeals.