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BEFORE THE  
BOARD OF MEDICAL EXAMINERS  
STATE OF OREGON

In the matter of, )  
STANLEY WALLACE JACOB, MD ) VOLUNTARY LIMITATION  
LICENSE NO. MD06134 )  
)

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. Stanley Wallace Jacob, MD (Licensee) is a licensed physician in the state of Oregon.

2.

The Board is investigating a complaint against Licensee regarding alleged inappropriate prescribing of a controlled substance.

3.

In regard to the above referenced matter, Licensee neither admits nor denies a violation of the Medical Practice Act. For the purpose of resolving this investigation, Licensee and the Board agree to close this investigation contingent upon Licensee satisfying the following conditions:

3.1 Effective May 16, 2001, Licensee will limit his medical practice to Administrative Medicine only. This means that Licensee will not evaluate, diagnose or treat patients in any manner or write prescriptions for patients, himself or his family.

3.2 Licensee stipulates and agrees that any violation of the terms of this Order shall be grounds for further disciplinary action under ORS 677.190(18).

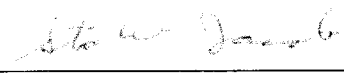
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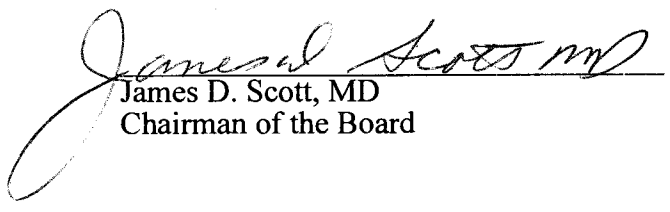
Licensee understands that this Order is a public record and is reportable to the National Practitioners Databank.

IT IS SO STIPULATED this 29<sup>th</sup> day of April, 2001.

  
\_\_\_\_\_  
Stanley Wallace Jacob, MD

IT IS SO ORDERED this 2 day of MAY, 2001.

BOARD OF MEDICAL EXAMINERS  
State of Oregon

  
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James D. Scott, MD  
Chairman of the Board

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BEFORE THE  
BOARD OF MEDICAL EXAMINERS  
STATE OF OREGON

In the Matter of )  
STANLEY JACOB, M.D., )  
LICENSE NO. MD06134. )  
\_\_\_\_\_ )

FINAL ORDER

On January 19, 1995, the Oregon Board of Medical Examiners (Board), reviewed the record of the contested case hearing held on September 13, 1994, regarding the Amended Notice of Disciplinary Action issued by the Board on May 9, 1994. Following review of the record and the hearings officer's proposed Findings of Fact, Conclusions of Law, and Order, the Board adopts as its own the hearings officer's proposed Order.

IT IS SO ORDERED this 19th day of January, 1995.

BOARD OF MEDICAL EXAMINERS  
State of Oregon

By:   
Terry Connor, D.O., Chairman

**NOTICE:** You are entitled to judicial review of this order pursuant to the provisions of ORS 183.480. Judicial Review may be obtained by filing a petition in the Oregon Court of Appeals. The petition must be filed within 60 days from the date of service of this order.



1 Board of Medical Examiners. Amended Notice of Proposed  
2 Disciplinary Action.

3 2. Dr. Jacob went to medical school at Ohio State  
4 University and received his surgical training at Harvard Medical  
5 School which he completed in 1957. Tr. 19-20. He was an  
6 instructor in surgery at Harvard Medical School for approximately  
7 two years before moving to the University of Oregon Medical  
8 School in 1959. Tr. 20; Exhibit 7.

9 3. Dr. Jacob has authored eight textbooks and taught  
10 at the medical school level for many years. He was the recipient  
11 of the first fully-endowed chair at the University of Oregon  
12 Health Sciences Center, the Gerlinger Chair of Surgery and  
13 Surgical Research. Tr. 20-21. Dr. Jacob stopped performing  
14 surgery in 1981. Since then he has devoted his time to patient  
15 care, research, and writing. Exhibit 8.

16 4. Dr. Jacob currently sees twelve to fifteen  
17 patients a day and has approximately 800 to 1,000 patients under  
18 his care. Less than one percent of his patients receive  
19 controlled substances. Tr. 21-22; Exhibit 8.

20 5. J.K. was a patient and employee of Dr. Jacob. Tr.  
21 24. She first came to work for him in May or June, 1990 as a  
22 clinical nurse. She is a Licensed Practical Nurse who is in the  
23 process of receiving additional nursing training toward her  
24 Bachelor of Science Degree in Nursing. Tr. 24 and 77. She  
25 worked for Dr. Jacob until June, 1993, and again briefly in  
26 August, 1993. Exhibit 8.

6. After J.K. came to work for Dr. Jacob, she began

1 complaining of a problem with the scapula of her right shoulder.  
2 At times, she described the pain in the shoulder as unbearable,  
3 and excruciating. Tr. 50 and 80. The shoulder would slip out of  
4 place; Dr. Jacob and his nurse, Gwen Crippen, would put it back  
5 in. Tr. 104; Exhibit 5.

6 7. Dr. Jacob performed multiple and frequent  
7 examinations on J.K. Tr. 29. He found crepitation and winging  
8 of the scapula, tenderness and swelling of the cervical  
9 musculature, and an inability to move the right upper extremity  
10 through various ranges of motion. Tr. 52. He attempted to treat  
11 her with DMSO and was unsuccessful, achieving only limited pain  
12 relief. Tr. 22 and 79; Exhibit 7.

13 8. Dr. Jacob prescribed multiple schedule III and IV  
14 medications, including hydrocodone and propoxyphene for J.K. Tr.  
15 33-34; Exhibits 1 and 2. He began prescribing the medication in  
16 mid-1991. Tr. 47 and 50. He did not prescribe any schedule II  
17 medications for J.K. Tr. 33.

18 9. J.K. has been a patient in the Kaiser system for  
19 several years and during her employment with Dr. Jacob. She  
20 complained to Kaiser physicians and staff of problems with her  
21 shoulder. Exhibit 103. She is dissatisfied with the treatment  
22 she has received from the Kaiser physicians and staff. Tr. 93  
23 and 99.

24 10. J.K. continued to see practitioners in the Kaiser  
25 system while Dr. Jacob prescribed the medications to her. Tr.  
26 86-91; Exhibit 103. She told the Kaiser practitioners of Dr.  
Jacob's prescriptions. Tr. 84, 95, and 100; Exhibit 103. They

1 did not voice any objections to her; rather, their responses were  
2 favorable. Tr. 100-101.

3 11. Dr. Jacob referred J.K. to Dr. Rodney Beals,  
4 Chairman of the Department of Orthopedics at OHSU in May, 1991.  
5 It was his hope Dr. Beals would be able to write a letter to the  
6 physicians in the Kaiser system to get them to examine, evaluate,  
7 and treat J.K. Tr. 49. Dr. Beals wrote a letter for J.K. to  
8 take to Kaiser as she was having difficulty getting into their  
9 orthopedic department. Tr. 49 and 81; Exhibit 4. Dr. Beals felt  
10 J.K. had a major problem with her shoulder. Tr. 49.

11 12. J.K. has been quite satisfied with the care  
12 provided by Dr. Jacob. She felt him to be very much concerned  
13 and helpful to her with regard to her pain and difficulty seeing  
14 physicians at Kaiser. Tr. 82 and 83.

15 13. J.K. was under Dr. Jacob's observation the entire  
16 time he was prescribing medications to her. Tr. 83. He was of  
17 the opinion her pain justified his prescriptions. He never  
18 formed the opinion she abused the medications he prescribed, nor  
19 that the medications were being diverted to others, or that the  
20 drugs impaired her ability to function. Tr. 52 and 53. The  
21 medication prescribed by Dr. Jacob enabled J.K. to complete her  
22 daily living tasks and to work. Tr. 84. Had the medication not  
23 been prescribed by Dr. Jacob, J.K. would not have been able to  
24 carry out her daily living tasks. Tr. 85.

25 14. J.K. left Dr. Jacob's employment in June, 1993 to  
26 attend school. She returned in August, 1993, to "cover" for  
vacations. During her absence, medications were not prescribed

1 by Dr. Jacob. Tr. 54 and 92. Dr. Jacob never prescribed  
2 medication to J.K. while she was not working with him. He did  
3 not give her any medication after she left his employment finally  
4 in August, 1993. Tr. 54-55.

5 15. The physicians at Kaiser began to prescribe  
6 Vicodan (Hydrocodone) after J.K. left Dr. Jacob's care. She does  
7 not recall requesting Vicodan of them prior to leaving Dr. Jacob.  
8 Tr. 97-98.

9 16. Dr. Jacob did not keep any record or chart of J.K.  
10 Tr. 25, 31 and 41; Exhibits 7 and 8.

11 17. Dr. Jacob acknowledges charts should be kept on  
12 every patient, Exhibit 8, and when a controlled substance is  
13 prescribed, a chart should be kept. Tr. 48.

14 18. The standard of care requires the keeping of  
15 medical records of examinations and treatment provided to a  
16 patient, including instances of prescribing medication. Tr. 69-  
17 72.

18 19. J.K. is the only patient Dr. Jacob is aware of in  
19 his many years of practice whom he has not kept a chart on. Tr.  
20 32; Exhibit 8.

21 20. A routine pharmacy check by the Board of Medical  
22 Examiners led to the determination a chart had not been kept by  
23 Dr. Jacob for J.K. Tr. 23-24. Following notification by the  
24 Board of Medical Examiners to Dr. Jacob, Dr. Jacob's nurse, Gwen  
25 Crippen, conducted an audit of Dr. Jacob's charts. She  
26 determined there to be considerable problems with Dr. Jacob's  
record keeping. She reviewed those deficiencies with Dr. Jacob.



1 They have since implemented changes in their record keeping. Tr.  
2 108-111; Exhibit 8. The changes were implemented in January or  
3 February, 1994. Tr. 114. All employees who are also patients,  
4 and all other patients, have medication sheets in their charts.  
5 Tr. 117-118.

6 **ULTIMATE FINDINGS OF FACT**

7 1. Dr. Jacob was one of J.K.'s treating physicians,  
8 and her employer. During his treatment of her he prescribed  
9 controlled substances, including hydrocodone and propoxyphene.

10 2. Dr. Jacob did not maintain records of any kind  
11 regarding his care and treatment, including prescription of  
12 medications, of J.K.

13 3. Minimum practice standards require some record  
14 keeping of interactions with patients, in particular, with regard  
15 to the prescription of medications.

16 4. Dr. Jacob has implemented changes in his record  
17 keeping practices designed to assure all of his patients,  
18 including those patients who are also employees, have  
19 satisfactory records of his treatment and medication  
20 prescriptions.

21 **CONCLUSIONS OF LAW**

22 1. All evidentiary rulings made at the hearing in  
23 this matter are affirmed.

24 2. By Amended Notice of Proposed Disciplinary Action,  
25 the State charged the licensee, Stanley W. Jacob, M.D., with  
26 prescribing controlled substances of a single patient, J.K.,  
without following accepted procedures for record keeping, in

1 violation of ORS 677.190(1), 677.188(4), and 677.190(25).  
2 The State did not charge the licensee with violation of Oregon  
3 statutes by overprescription of controlled substances. Issues of  
4 overprescription, if any, were not considered by this hearings  
5 officer.

6 3. Dr. Jacob prescribed controlled substances without  
7 following accepted procedures for record keeping, in violation of  
8 ORS 677.190(25).

9 ORDER

10 IT IS HEREBY ORDERED Dr. Stanley Jacob receive written  
11 reprimand by the Board for the failure to follow accepted  
12 procedures for keeping records of his prescriptions to J.K.

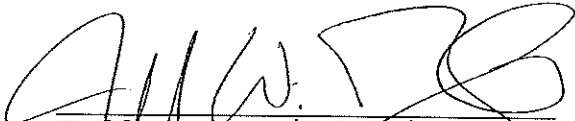
13 OPINION

14 Dr. Jacob found himself in the awkward setting of being  
15 both employer and physician to J.K. The dual relationship led  
16 him to be lax in his record keeping. Fortunately for J.K. and  
17 Dr. Jacob, his laxity in record keeping did not lead to any  
18 adverse consequences for J.K. Indeed, J.K.'s other physicians  
19 were apprised of the prescriptions he was providing. It was  
20 uncontroverted Dr. Jacob's treatment of J.K. was beneficial to  
21 her. Nonetheless, careful record keeping is an essential part of  
22 reasonable medical practice. Dr. Jacob sufficiently demonstrated  
23 for the hearings officer the record keeping of this particular  
24 patient was an isolated circumstance and he has taken measures to  
25 improve his record keeping practices. For these reasons, it is  
26 the recommendation of this hearings officer Dr. Jacob receive a  
written reprimand from the Board for his failure to follow

1 accepted procedures for record keeping, and that he receive no  
2 additional discipline.

3 DATED this 28th day of October, 1994.

4 Respectfully submitted,

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7 Jeffrey W. Bildstein  
8 Hearings Officer

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