

AUG 27 2013

FILED

1
2
3 IN THE MATTER OF:)

Case Nos. AD1102001 & AD 1102002

4 PHIL YUAN- CHUNG CHEN, D.O.)
5 License No. 871,)

**ORDER MODIFYING PORTIONS OF
SETTLEMENT AGREEMENT AND
ORDER**

6 Respondent.)
7

8 On June 28, 2011, the Nevada State Board of Osteopathic Medicine (the Board) affirmed and
9 entered its Settlement Agreement and Order in this matter. On August 13, 2013 the Board heard a
10 presentation from Dr. Chen's practice monitor, Dr. Daniel Burkhead. Dr. Burkhead explained that Dr.
11 Chen is generally compliant with the terms of the Settlement Agreement and Order and that in his
12 opinion Dr. Chen is prepared to prescribe controlled substances without restriction as long as he
13 continues to be monitored pursuant to and according to the remaining terms of the Settlement
14 Agreement and Order. After questioning Dr. Burkhead and after due consideration and deliberation, the
15 Board determined to amend its Settlement Agreement and Order in this matter as follows:

16 1. In order to mitigate the concerns raised by Dr. Chen regarding his payment of the amounts
17 due pursuant to paragraph 2 of the Stipulated Adjudication section of the Settlement Agreement and
18 Order, for all payments made by Dr. Chen for the dates between June 11, 2013 and December 31, 2013,
19 the Board will credit an equal amount from the total payment due.

20 2. Pursuant to paragraph 4(e) of the Stipulated Adjudication section of the Settlement
21 Agreement and Order, the Board hereby orders that Dr. Chen may prescribe whatever controlled
22 substance or controlled substances for a patient to treat any condition he diagnoses for the patient,
23 including but not limited to the treatment of acute or chronic pain, subject to the other terms and
24 conditions of the Settlement Agreement and Order. Dr. Burkhead and the Board's staff shall continue
25 to monitor Dr. Chen's prescribing practices to assure compliance with the Settlement Agreement and
26 Order and to assure that the prescribing is within the standard of care for the treatments of the
27 conditions Dr. Chen seeks to treat.
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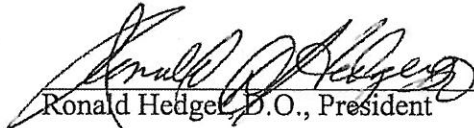
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3. All other terms and conditions in the Settlement Agreement and Order not modified in this order shall remain in full force and effect.

IT IS SO ORDERED.

SIGNED AND EFFECTIVE this 27 day of August, 2013.

NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE



Ronald Hedgel, D.O., President

1 **BEFORE THE NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE**

2 IN THE MATTER OF THE COMPLAINT)

Case No.: AD1102001 & AD1102002

3 AGAINST)

4 Phil Chen, D.O.,)

5 RESPONDENT.)

**NV STATE BOARD OF
OSTEOPATHIC MEDICINE**

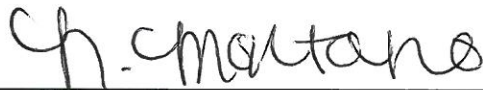
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FILED

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7 **CERTIFICATE OF SERVICE**

8 I hereby certify that on the 27th day of August, 2013, I served a copy of the ABOVE
9 Notice with attachment upon the parties to this matter, via U.S. Postal Service, postage
thereon prepaid, addressed as follows:

10 Phil Chen, D.O.
11 219 North Pecos Road
12 Henderson, NV 89074

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14 An employee of the Nevada State Board of
15 Osteopathic Medicine