

**DIVISION OF OCCUPATIONAL LICENSING**

*Frank H. Murkowski, Governor*

**CERTIFIED # 7002 3150 0001 1621 0005  
RETURN RECEIPT REQUESTED**

July 8, 2005

Colleen M. Murphy, M.D.  
4100 Lake Otis Parkway  
Suite Number 330  
Anchorage, Alaska 99508

Dear Dr. Murphy

RE: Case No. 2800-05-026

Be advised that the State Medical Board, during its July 7, 2005 meeting, ordered your Physician License No. 3162, summarily suspended under AS 08.01.075(c). A copy of the Order, as adopted is enclosed.

Pursuant to the above statute(s), you are entitled to a hearing to appeal the summary suspension within seven days after the Order of Suspension is issued.

If you desire a hearing on this matter, please direct a written request to me.

This Order is effective immediately and will remain in effect until after final disposition of the summary suspension proceeding.

Should you have any further questions regarding this matter, please do not hesitate to contact me at the above listed address, or phone number.

Sincerely

A handwritten signature in black ink, appearing to read "Richard C. Younkens".

Richard C. Younkens  
Chief Investigator

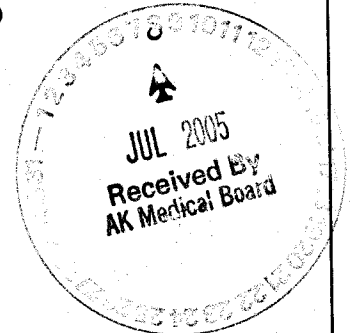
Enclosure: Petition for Summary Suspension  
Board Order

cc: All Members, State Medical Board  
Rick Urion, Director  
Barbara Gabier, Chief, Occupational Licensing w/original  
Hearing Officer Unit  
Leslie Gallant, Executive Administrator  
Colin Matthews, Investigator  
Deborah L. Finley, Investigator  
Karen Hawkins, Assistant Attorney General  
Paul D. Stockler, Attorney  
File: 2800-05-026

RCY:ab

550 W. 7th Avenue, Suite 1500, Anchorage, Alaska 99501-3567  
Telephone: (907) 269-8160 Fax: (907) 269-8156 Text Telephone: (907) 465-5437  
Email: license@commerce.state.ak.us Website: <http://www.commerce.state.ak.us/occ/>

STATE OF ALASKA  
DEPARTMENT OF COMMERCE  
COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF OCCUPATIONAL LICENSING  
BEFORE THE STATE MEDICAL BOARD



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6 In the Matter of: )  
7 Colleen M. Murphy, M.D. )  
8 Respondent )

9  
10 Case No. 2800-05-026

11 PETITION FOR SUMMARY SUSPENSION OF PHYSICIAN LICENSE

12 Richard Urion, Director, State of Alaska, Department of Commerce,  
13 Community and Economic Development, Division of Occupational Licensing  
14 (Division), hereby petitions the Alaska State Medical Board (Board) for an order  
15 summarily suspending physician license #3162, held by Colleen M. Murphy, M.D.  
16 (Murphy). This license was first issued October 23, 1993, and will lapse December  
17 31, 2006 if not renewed by that time.

18  
19 This petition is made pursuant to AS 08.64.331(c), which provides  
20 that the "board may summarily suspend a license before a final hearing ... if the  
21 board finds that the licensee poses a clear and immediate danger to the public  
22 health and safety if the licensee continues to practice." A person whose license is  
23 suspended under this section is entitled to a hearing by the Board no later than 7  
24 days after the effective date of the order.

25  
26 The basis for the Division's petition are the findings of the Alaska  
27 Regional Hospital Ad Hoc Committee and the affidavits from each Ad Hoc  
28 Committee member. The Board received the report of the Ad Hoc Committee  
29 pursuant to AS 08.64.336. Under this statute, the Board is authorized to summarily  
30 suspend a license.

1                   The sitting members of the Alaska Regional Hospital Ad Hoc  
2 Committee are Donna L. Chester, M.D. and Wendy S. Cruz, M.D., both  
3 specializing in obstetrics and gynecology, George J. Gilson, M.D., specializing in  
4 perinatology, Norman J. Wilder, M.D., specializing in sleep disorders, and Clinton  
5 B. Lillibridge, M.D., specializing in pediatrics. The Alaska Regional Hospital Ad  
6 Hoc Committee was formed when reports from an outside peer review panel  
7 generated inconsistent results from ten of Murphy's patients in 2004. The Alaska  
8 Regional Hospital Ad Hoc Committee reviewed the hospital records for the same  
9 ten patients of Murphy in 2004. As part of its review the Alaska Regional Hospital  
10 Ad Hoc Committee interviewed Murphy. After completing its review of medical  
11 records and interviewing Murphy and other witnesses, the Alaska Regional  
12 Hospital Ad Hoc Committee concluded that Murphy failed to meet the minimum  
13 standards for standard of care in providing obstetrical care in five of the ten cases.  
14 Such conduct constitutes violations of AS 08.64.326(a)(8)(A). The Alaska Regional  
15 Hospital Ad Hoc Committee letter to Rhene C. Merkouris, M.D., (Merkouris)  
16 President, Alaska Regional Hospital Medical Staff, in which the Alaska Regional  
17 Hospital Ad Hoc Committee reports its findings, and the curriculum vitae for each  
18 Ad Hoc Committee member are attached as exhibits. A letter dated April 6, 2005,  
19 from Merkouris to Murphy informing Murphy that her obstetrical privileges at Alaska  
20 Regional Hospital had been suspended is also attached as an exhibit.

21  
22                   Further, each Ad Hoc Committee member has concluded that Murphy  
23 is clear and immediate danger to the public because of her failure to meet  
24 minimum professional standards for standard of care when providing obstetrical  
25 care. Affidavits by each member of the Ad Hoc Committee are provided as further  
26 evidence for the Board to consider.

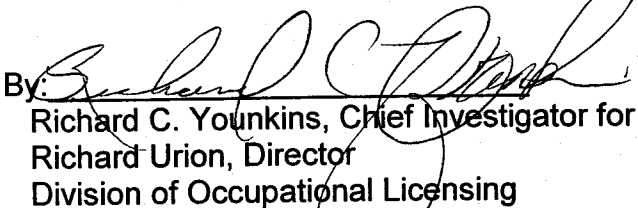
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28                   The Division's petition is also based on the affidavit of State Medical  
29 Board Investigator Colin Matthews (Matthews), which provides a history of the  
30 investigation. Briefly, on April 12, 2005, Matthews received a letter from Tina Roy,  
31 Director, Medical Staff Services, Alaska Regional Hospital, advising that Murphy's  
32

1 obstetrical privileges at Alaska Regional Hospital had been suspended. Ms. Roy's  
2 letter is attached as an exhibit. Investigator Matthews conducted an investigation  
3 into the matter and attempted to resolve the matter by requesting Murphy to  
4 voluntarily agree to suspend her obstetrics practice until the Alaska Regional  
5 Hospital Peer Review Hearing was completed. Murphy declined to accept the  
6 proposal.

7  
8 Finally, the Division requests that Murphy not be allowed to return to  
9 the practice of medicine until she can prove to the Board that she can do so with  
10 skill and safety, and in a manner consisted with public safety.

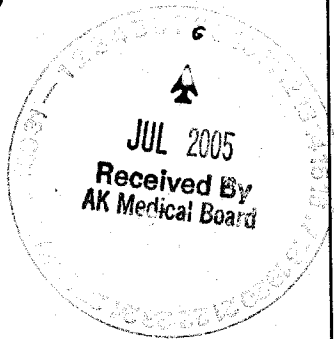
11  
12 Respectfully submitted this 7<sup>th</sup> day of July, 2005  
13 at Anchorage, Alaska.

14 Edgar Blatchford, Commissioner

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16 By:   
17 Richard C. Younkings, Chief Investigator for  
18 Richard Urion, Director  
19 Division of Occupational Licensing

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24 CMM#12/cm  
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STATE OF ALASKA  
DEPARTMENT OF COMMERCE  
COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF OCCUPATIONAL LICENSING  
BEFORE THE STATE MEDICAL BOARD



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6 In the matter of: )  
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8 Colleen M Murphy, M.D. )  
9 )  
10 Respondent )  
Case No. 2800.05.026

AFFIDAVIT

11 STATE OF ALASKA )  
12 )  
13 )ss.  
14 THIRD JUDICIAL DISTRICT )

15 Colin Matthews, being duly sworn, upon oath, deposes and says:

16 1. That I am an Investigator with the State of Alaska, Division of Occupational  
17 Licensing, and I am assigned to supervise and conduct investigations for the State Medical  
18 Board.

19 2. This affidavit concerns investigative actions I took in relation to this  
20 investigation.

21 3. On April 8, 2005, I received written report, from Tina Roy, Director, Medical  
22 Staff Services, Alaska Regional Hospital, 2801 DeBarr Road, Anchorage, Alaska 99508,  
23 advising that the Medical Executive Committee (Committee), Alaska Regional Hospital,  
24 had summarily suspended Murphy's obstetrical privileges. The report advised the action  
25 was taken after the Committee received a report from an Ad Hoc Committee stating: Peer  
26 review of obstetrical cases found inappropriate operative technique for vaginal delivery,  
27 failure to recognize fetal heart rate tracing abnormalities and delayed response for patient  
28 care. These findings suggested our failure to take such action may result in imminent  
danger to the health and/or safety of her patients or to the orderly operation of our hospital.  
The report was made under AS 08.64.336.

29 4. On April 8, 2005, I discussed this complaint with G. Bert Flaming, M.D.,  
30 Member, Alaska State Medical Board (Board). Dr. Flaming opined that based on the report  
31 from Alaska Regional Hospital it may be necessary to ask Murphy to temporarily suspend  
32 her authority obstetrics privileges.  
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35

State Of Alaska  
Department Of Commerce, Community and Economic Development  
Division of Occupational Licensing  
550 West 7<sup>th</sup> Avenue, Suite 1500  
Anchorage, Alaska 99501-3567  
Telephone 907-269-8160 Fax 907-269-8195

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5. On April 8, 2005, I transmitted a letter to Rosemary Craig, R.N., Quality Assurance Director, Alaska Regional Hospital, 2801 DeBarr Road, Anchorage, Alaska 99508 requesting a copy of the information that lead to the suspension of Murphy's hospital privileges. On April 12, 2005, the requested information was received from Craig. The Ad Hoc Committee were identified as George J. Gilson, M.D., Norman J. Wilder, M.D., Donna L. Chester, M.D., Wendy S. Cruz, M.D., and Clinton B. Lillibridge, M.D.

6 On April 12, 2005, I spoke with Murphy's legal counsel and it was determined that Murphy did not wish to voluntarily suspend her license pending resolution of this matter.

7. On May 12, 2005, George J. Gilson, M.D., Anchorage, Alaska, signed an Affidavit attesting to his participation in the Ad Hoc Committee, that he signed the March 9, 2005 report to the President, Medical Staff, and his concurrence with the findings.

8. On May 17, Clinton B. Lillibridge, M.D., Anchorage, Alaska, signed an Affidavit attesting to his participation in the Ad Hoc Committee, that he signed the March 9, 2005 report to the President, Medical Staff, and his concurrence with the findings reflected in the report.

9. On May 19, 2005, Donna L. Chester, M.D., Anchorage, Alaska, signed an Affidavit attesting to her participation in the Ad Hoc Committee, that she signed the March 9, 2005 report to the President, Medical Staff, and her concurrence with the findings reflected in the report.


10. On May 19, 2005, Wendy S. Cruz, M.D., Anchorage, Alaska, signed an Affidavit attesting to her participation in the Ad Hoc Committee, that she signed the March 9, 2005 report to the President, Medical Staff, and her concurrence with the findings reflected in the report.

11. On June 3, 2005, Norman J. Wilder, M.D., Anchorage, Alaska, signed an Affidavit attesting to his participation in the Ad Hoc Committee, that he signed the March 9, 2005 report to the President, Medical Staff, and his concurrence with the findings reflected in the report.

12. On June 8, 2005, I contacted Gilson, Chester, Cruz, and Wilder and all stated their opinions, as reflected in the March 9, 2005 report, remained the same.

13. On June 15, 2005, I contacted Lillibridge and he stated his opinion, as reflected in the March 9, 2005 report, remained the same.

Further, your Affiant sayeth naught.

  
Colin Matthews, Investigator

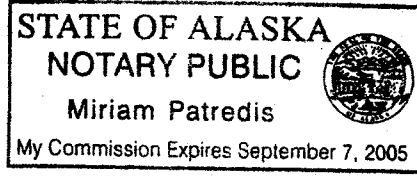
Subscribed and sworn to before me this 16 day of June, 2005.

State Of Alaska  
Department Of Commerce, Community and Economic Development  
Division of Occupational Licensing  
550 West 7<sup>th</sup> Avenue, Suite 1500  
Anchorage, Alaska 99501-3567  
Telephone 907-269-8160 Fax 907-269-8195

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Miriam Patredis  
Notary Public, State of Alaska  
My commission expires: 09/07/2005



STATE OF ALASKA  
DEPARTMENT OF COMMERCE  
COMMUNITY & ECONOMIC DEVELOPMENT  
DIVISION OF OCCUPATIONAL LICENSING  
BEFORE THE STATE MEDICAL BOARD

In the matter of: )  
)  
Colleen M. Murphy, M.D. )  
)  
Respondent )  
\_\_\_\_\_ )

Case No. 2800-05-026

ORDER

Upon the petition of the State of Alaska, Department of Commerce, Community and Economic Development, Division of Occupational Licensing (Division) for Summary Suspension of Physician's license, and upon consideration of the evidence presented by the Division with its petition for summary suspension, the State Medical Board (Board) finds that Colleen M. Murphy, M.D./OB Gyn (Murphy), poses a clear and immediate danger to the public health and safety if she continues to practice as an obstetrician. The Board hereby grants the Division's petition and orders pursuant to AS 08.64.331(c), the summary suspension of Murphy's license, #3162.

It is ordered that upon adoption of this order by the Board, Murphy's license to practice medicine will be summarily suspended and will remain suspended until such time as Murphy is able to prove to the Board she is able to practice medicine in a manner consistent with public safety.

This order shall become effective immediately upon approval by the Board.

Dated this 13<sup>th</sup> of July, 2005, at Anchorage, Alaska.

BY: 

David M. Head, M.D.  
Chair, State Medical Board

CMM#13/cm

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Department Of Community and Economic Development  
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