

STATE OF MINNESOTA
COUNTY OF RAMSEY

BY THE MINNESOTA
BOARD OF MEDICAL EXAMINERS

In the Matter of
Hideo D. Mori, MD

ORDER FOR TEMPORARY SUSPENSION

The above-entitled matter came on for consideration by the Minnesota Board of Medical Examiners in Room 106, 2700 University Avenue West, St. Paul, Minnesota 55114, on November 15, 1986.

Hideo D. Mori, MD, was present in person and was represented by counsel, Thomas E. Wolf of O'Brien, Ehrick, Wolf, Deaner and Downing, Sixth Floor, Marquette Bank Building, P.O. Box 968, Rochester, Minnesota 55903. Board Discipline Committee member Melvin E. Sigel, MD, made a presentation to the Board on behalf of the Committee. John A. Breviu, Special Assistant Attorney General, Suite 136, 2829 University Avenue Southeast, Minneapolis, Minnesota 55414, was present as counsel to the Discipline Committee. Three witnesses testified for Dr. Mori.

Board members present were Chester A. Anderson, MD, William J. Donkers, DO, Cassius M. Ellis, MD, Mary Hartmann, William Jacott, MD, Stephen P. Kelley, George B. Martin, MD, Richard Tompkins, MD, and Meredith Hart.

David Ziegenhagen, Executive Director of the Board, was present as was Richard Auld, Assistant Executive Director. Robert T. Holley, Special Assistant Attorney General, was present as legal counsel to the Board.

After making his presentation, Dr. Sigel was excused from the meeting and did not participate in any Board deliberations in this matter. Dr. Richard Tompkins also did not participate in Board deliberations.

Based upon its consideration of this matter, the Board makes the following:

PRELIMINARY FINDINGS

The Board finds that allegations of sexual misconduct have been made against Hideo D. Mori, MD. These allegations relate directly to his practice of medicine and include massaging the clitoris and vagina of female patients during pelvic examinations, kissing a patient on the face, neck and breasts, and embracing a patient. Allegations have been made by seven patients, asserting that from 1960 to approximately 1980 Dr. Mori engaged in the above and other instances of sexual misconduct. Dr. Mori has acknowledged the truth of several of these allegations.

CONCLUSIONS

Based upon the foregoing, the Board concludes that continued practice by Dr. Mori pending the completion of a contested case proceeding would create a serious risk of harm to the public.

ORDER

IT IS HEREBY ORDERED, that the license of Hideo D. Mori, MD, to practice medicine and surgery in the State of Minnesota is temporarily suspended pursuant to Minn. Stat. § 147.021, subd. 4 (Supp. 1985). During the period of suspension, Dr. Mori shall not in any manner practice medicine or surgery in this state. The suspension shall take effect immediately and shall remain in effect until such time as the Board issues a final decision in this matter after the completion of a contested case hearing.

Dated: November 18, 1986

STATE OF MINNESOTA

BOARD OF MEDICAL EXAMINERS

By: _____

G. B. Martin
GEORGE B. MARTIN, MD
President

MEMORANDUM

Two issues are presented under the present proceeding, namely, 1) whether Dr. Mori's conduct constitutes the violation of a statute or rule enforceable by the Board and 2) whether his continued practice would create a serious risk of harm to the public. Minn. Stat. § 147.021, subd. 4 (Supp. 1985).

Dr. Mori does not deny that he engaged in improper touching and inappropriate sexual contacts with a number of female patients over an extended period of time. Such conduct plainly violates the Medical Practice Act and, among other remedies, could constitute grounds for the Board's revocation or suspension of Dr. Mori's license. Id. at §§ 147.021, subd. 1(g), (k), (t) and 147.141; Padilla v. Minnesota State Board of Medical Examiners, 382 N.W.2d 876 (Minn. Ct. App. 1986).

It is likewise the judgment of the Board that the evidence before it demonstrates that Dr. Mori's continued practice pending the outcome of a contested case hearing would create a serious and unjustifiable risk of harm to the public. The number of women patients known to have been sexually exploited by him, the lengthy time period over which such conduct has occurred, the fact that Dr. Mori is in solo practice and not readily subject to monitoring by colleagues, and evidence that a very recent psychiatric evaluation indicates the need for Dr. Mori's receipt of further evaluation or care all suggest that a substantial and serious threat of public harm continues to exist.

Claims on behalf of Dr. Mori that his private practice as well as the census of a nearby hospital will suffer by his temporary suspension clearly are outweighed by the Board's broader obligation to act expeditiously to shield the public from any practitioner with a high potential for patient abuse.

G.B.M.

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

David Ziegenhagen being first duly sworn upon oath, deposes and says:

That at the City of St. Paul, county and state aforementioned, on the 19th day of November, 1986, he/she served the attached ORDER FOR TEMPORARY SUSPENSION, NOTICE OF AND ORDER FOR HEARING, and NOTICE OF APPEARANCE by depositing in the United States mail at said city, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

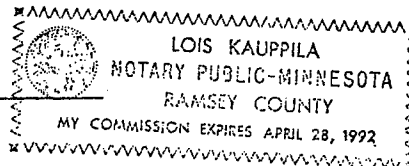
Mr. Thomas E. Wolf
Attorney at Law
O'Brien, Ehrick, Wolf, Deaner
and Downing
Sixth Floor
Marquette Bank Building
P.O. Box 968
Rochester, Minnesota 55903

David Ziegenhagen

Subscribed and sworn to before me

this 20th day of November, 1986.

Lois Kauppila



Re: In the Matter of Hideo D. Mori, MD

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

David Ziegler being first duly sworn upon oath, deposes and says:

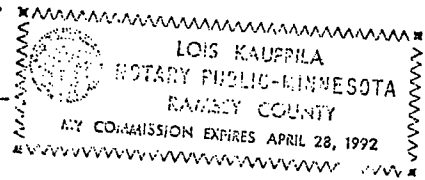
That at the City of St. Paul, county and state aforementioned, on the 19th day of November, 1986, he/she served the attached ORDER FOR TEMPORARY SUSPENSION, NOTICE OF AND ORDER FOR HEARING, and NOTICE OF APPEARANCE by depositing in the United States mail at said city, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

Hideo D. Mori, M.D.
Box 367
Grand Meadow, Minnesota 55938

David Ziegler

Subscribed and sworn to before me
this 20th day of November, 1986.

Lois Kauppila



Re: In the matter of Hideo D. Mori, M.D.