



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Victor Otto Brooks, MD
Master Case No.: M2014-970
Document: Summary Action Order

Regarding your request for information about the above-named practitioner; attached is a true and correct copy of the document on file with the State of Washington, Department of Health, Adjudicative Clerk Office. These records are considered Certified by the Department of Health.

Certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

If you have any questions or need additional information regarding the information that was withheld, please contact:

Customer Service Center
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Olympia, WA 98504-7865
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**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION**

In the Matter of:

VICTOR OTTO BROOKS, M.D.
License No. MD.MD.00024811,

Respondent.

Master Case No. M2014-970

**EX PARTE ORDER OF SUMMARY
SUSPENSION**

COMMISSION PANEL:

Warren Howe, M.D., Chair
Charles Browne, M.D.
Mimi Pattison, M.D.
Yanling Yu, Ph.D., Public Member

PRESIDING OFFICER:

John F. Kuntz, Review Judge

This matter came before the Medical Quality Assurance Commission (Commission) on March 31, 2016, on an Ex Parte Motion for Summary Action (Ex Parte Motion) brought by the Office of the Attorney General. The Commission issued a Statement of Charges alleging Respondent violated RCW 18.130.170(1), (4), (7), (13), (22), with respect to Pain Management, WAC 246-919-853 through 858, and 860. After reviewing the Statement of Charges, Ex Parte Motion, and supporting evidence, the Commission GRANTS the motion. Respondent's license to practice as a physician and surgeon is SUMMARILY SUSPENDED pending further action.

I. FINDINGS OF FACT

1.1 Victor Otto Brooks (Respondent) is a physician and surgeon licensed by the state of Washington at all times applicable to this matter.

1.2 The Commission issued a Statement of Charges alleging Respondent violated RCW 18.130.180(1), (4), (7), (13), (22), with respect to Pain Management,

WAC 246-919-853 through 858, and 860. The Statement of Charges was accompanied by all other documents required by WAC 246-11-250.

1.3 As set forth in the allegations in the Statement of Charges, as well as the Ex Parte Motion, Respondent's pattern of practicing raises questions regarding his clinical judgment as a physician and surgeon. Respondent's pattern of practicing beyond the scope of his skills and abilities further demonstrates a complete disregard for the standard of care and raises serious concerns for public safety. Respondent's continued prescribing of excessive quantities and doses of controlled substances further creates an unreasonable and imminent risk of patient harm or death.

1.4 Respondent lost his obstetrics hospital privileges when he practiced beyond the scope of his privileges. He also failed to recognize the potential surgical complications he posed by performing a fourth Caesarean section delivery on Patients A, B, D, and E, and attempting to perform on Patient C. Respondent's surgical skills are deficient, and he lacks the expertise to address serious delivery complications. Respondent's lack of skills posed a serious risk of harm to Patients A through E and to each unborn child.

1.5 Prior to losing his family medicine hospital privileges, Respondent repeatedly admitted Patients F, G, H, I, and K to the hospital to treat complaints of chronic pain by prescribing intravenous Dilaudid, a highly addictive, short-acting opioid medication. Patients F, G, H, and K over-utilized the hospital by presenting and obtaining frequent admissions. Respondent never referred his patients to the emergency department or to a specialist to treat the complaints that gave rise to the repeated hospital admissions. Respondent failed to recognize or address opioid

dependency and instead, admitted Patients F, G, H, and K and administered intravenous pain medication in amounts and doses not reported to the Prescription Monitoring Program (PMP). Respondent neglected to document any concerns about prescribing highly addictive narcotic pain medication, particularly for Patient K who was also pregnant during many of her hospitalizations. Respondent ignored any concern for fetal health, and he failed to monitor or test for possible harm to Patient K's unborn infant whom was born opioid dependent requiring intensive natal care.

1.6 Respondent violated standards of care with respect to treating and prescribing Patients J through U for chronic non-cancer pain. Respondent frequently wrote prescriptions for Schedule II through V controlled substances in large quantities and in combinations of lethal doses. Review of Respondent's 2015 PMP report reveals indiscriminate prescribing of hundreds of thousands of Schedule II and III opioid medications. The prescribed medication quantities strongly suggest drug diversion and demonstrate Respondent's deficient pain management skills and possible awareness of drug stockpiling, misuse, or abuse.

1.7 The above allegations, supported by the Declaration of Commission Investigator in Support of Motion for Summary Action, the Declaration of Dr. Joel Seres, the Declaration of Dr. John Eggers, and the attached exhibits, justify making a determination of immediate danger in this case and a decision to immediately summarily suspend Respondent's license until a hearing on the matter can be held.

II. CONCLUSIONS OF LAW

2.1 The Commission has jurisdiction over Respondent's credential to practice as a physician and surgeon. RCW 18.130.040.

2.2 The Commission has authority to take emergency adjudicative action to address an immediate danger to the public health, safety, or welfare. RCW 34.05.422(4); RCW 34.05.479; RCW 18.130.050(8); and WAC 246-11-300.

2.3 The Findings of Fact establish the existence of an immediate danger to the public health, safety, or welfare if Respondent has an unrestricted credential. The Findings of Fact establish that the requested summary action is necessary and adequately addresses the danger to the public health, safety, or welfare.

III. ORDER

3.1 Based on the Findings of Fact and the Conclusions of Law, it is ORDERED that Respondent's license to practice as a physician and surgeon is SUMMARILY SUSPENDED.

3.2 It is HEREBY ORDERED that a protective order in this case is GRANTED. RCW 34.05.446(1) and WAC 246-11-400(2) and (5). This Protective Order prohibits the release of health care information outside of these proceedings. Unless required by law, anyone involved in these proceedings must keep confidential and not disclose health care information obtained through these proceedings. Health care information includes information in any form "that identifies or can readily be associated with the

identity of a patient and directly relates to the patient's health care."

RCW 70.02.010(16). The parties may share the information with their attorney, if any.

DATED this 31st day of March, 2016.



WARREN HOWE, M.D.
PANEL CHAIR

For more information, visit our website at:

<http://www.doh.wa.gov/PublicHealthandHealthcareProviders/HealthcareProfessionsandFacilities/Hearings.aspx>