



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: James G. Douglas, M.D.,
Master Case No.: M2016-160
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
P.O. Box 47865
Olympia, WA 98504-7865
Phone: (360) 236-4700
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to the Privacy Officer, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

**DEPARTMENT OF HEALTH
STATE OF WASHINGTON
MEDICAL QUALITY ASSURANCE COMMISSION**

In the Matter of:

JAMES G. DOUGLAS, M.D.,
License No. MD.MD.00019266,

Respondent.

Master Case No. M2016-160

EX PARTE ORDER OF
SUMMARY SUSPENSION

PRESIDING OFFICER: John F. Kuntz, Review Judge.

This matter came before the Presiding Officer on delegation from and authorized by the Medical Quality Assurance Commission (Commission) on April 21, 2016, on an Ex Parte Motion for Order of Summary Action (Ex Parte Motion) brought by the Office of the Attorney General. The Commission issued a Statement of Charges alleging Respondent violated RCW 18.130.180(5). The Presiding Officer, after reviewing the Statement of Charges and the Ex Parte Motion with its supporting declaration and exhibit(s), GRANTS the Ex Parte Motion. Respondent's license is SUSPENDED pending further disciplinary proceedings.

I. FINDINGS OF FACT

1.1 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(5). The Statement of Charges was accompanied by all other documents required by WAC 246-11-250.

1.3 On September 1, 2015, the Wyoming Board of Medicine served Respondent with *Notice of Lifting of Stay of Twelve (12) Month Suspension of Physician*

License Pursuant to Terms of Consent Decree and Order Approving Consent Decree. (Suspension Notice). The Suspension Notice immediately suspended Respondent's license until August 31, 2016. The Wyoming Board's Suspension Notice is based on Respondent's failure to remain compliant with his new monitoring agreement with Wyoming Physicians Assistance Program (WPAP), one of the requirements of the Board's *Findings of Fact, Conclusions of Law, and Order Approving Consent Decree* (Order and Consent Decree), entered on July 31, 2015. The Order and Consent Decree stayed the Board's 12-month suspension of Respondent's license as long as Respondent remained fully compliant with his new WPAP monitoring agreement. In December 2015, Respondent terminated his monitoring agreement with WPAP, in violation of Wyoming Board's Order and Consent Decree.

1.4 The Ex Parte Motion was accompanied by a sworn Declaration of Health Care Investigator in Support of Motion for Summary Action; a certified copy of the Wyoming Board's Consent Decree; Letter from WPAP notifying the Wyoming Board of Respondent's non-compliance; Wyoming Board's Suspension Notice; and letter from WPAP documenting Respondent's termination of agreement.

1.5 The basis for the Wyoming Board's September 1, 2015 Suspension Notice, based on non-compliance with the Order and Consent Decree, is substantially similar to:

RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

- (9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

II. CONCLUSIONS OF LAW

2.1 The Commission has jurisdiction over Respondent's license to practice as a physician and surgeon in the state of Washington. RCW 18.130.040.

2.2 The Commission has delegated summary action authority to the presiding officer in cases falling under RCW 18.130.370.

2.3 RCW 18.130.180 defines unprofessional conduct as including:

- (5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction.

RCW 18.130.370 states:

Any individual who applies for a license or temporary practice permit or holds a license or temporary practice permit and is prohibited from practicing a health care profession in another state because of an act of unprofessional conduct that is substantially equivalent to an act of unprofessional conduct prohibited by this chapter or any of the chapters specified in RCW 18.130.040 is prohibited from practicing a health care profession in this state until proceedings of the appropriate disciplining authority have been completed under RCW 18.130.050.

RCW 18.130.050(8) provides, in relevant part:

Consistent with RCW 18.130.370, a disciplining authority shall issue a summary suspension of the license or temporary practice permit of a license holder prohibited from practicing a health care profession in another state, federal, or foreign jurisdiction because of an act of unprofessional conduct that is substantially equivalent to an act of unprofessional conduct prohibited by this chapter or any of the chapters specified in RCW 18.130.040. The summary

suspension remains in effect until proceedings by the Washington disciplining authority have been completed.

2.4 Under the Wyoming Board's September 1, 2016 Suspension *Notice*, Respondent is prohibited from practicing as a physician in the state of Wyoming. The basis for the action is substantially similar to RCW 18.130.180(9), which permits the Commission to discipline a physician who fails to comply with an order issued by the disciplinary authority.

2.5 Summary suspension pending further proceedings is mandatory in cases where a respondent is prohibited from practicing in another state or foreign jurisdiction because of conduct that is substantially equivalent to an act of unprofessional conduct under Washington statute or regulation. A lesser restrictive alternative is not available. The Findings of Fact establish that the requested summary action is necessary and legislatively mandated to protect the public health, safety, or welfare.

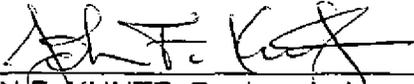
III. ORDER

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 SUSPENDED pending further disciplinary proceedings by the Commission. Respondent shall immediately deliver all licenses, (including wall, display, and/or wallet, if any), to the Commission.

3.2 It is HEREBY ORDERED that a protective order in this case is GRANTED. All healthcare information and non-conviction data contained in the Ex Parte Motion, Declaration of Health Care Investigator in Support of Motion for Summary Action, and attached exhibits shall not be released except as provided in Chapter 70.02 RCW,

Chapter 10.97 RCW, RCW 34.05.446(1), and WAC 246-11-400(2) and (5). The Protective Order prohibits the release of health care information outside 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. The parties may share the information with their attorney, if any.

Dated this nd 22 day of April, 2016.



JOHN F. KUNTZ, Review Judge
Presiding Officer

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