



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
Olympia, Washington 98504

RE: [REDACTED]  
Master Case No.: M201 [REDACTED]  
Document: Stipulation to Informal Disposition

Regarding your request for information about the above-named practitioner, 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.

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
MEDICAL QUALITY ASSURANCE COMMISSION

In the Matter of the License to Practice  
as a Physician and Surgeon of

License No. [REDACTED]

Respondent.

No. M201 [REDACTED]

**STIPULATION TO INFORMAL  
DISPOSITION**

Pursuant to the Uniform Disciplinary Act, Chapter 18.130 RCW, the Medical Quality Assurance Commission (Commission) issued a Statement of Allegations and Summary of Evidence (Statement of Allegations) alleging the conduct described below. Respondent does not admit any of the allegations. This Stipulation to Informal Disposition (Stipulation) is not formal disciplinary action or a restriction on Respondent's license to practice medicine, and shall not be construed as a finding of unprofessional conduct or inability to practice.

**1. ALLEGATIONS**

1.1 On January 23, 2009, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent's license is currently active.

1.2 On August 24, 2007, Respondent took and passed the certifying examination for the American Board of Internal Medicine (ABIM). Following the examination, on September 3, 2007, Respondent sent an email to the owner/operator of a board review course that Respondent took in preparation for the ABIM certifying examination. The email contained several questions and answers to questions from the examination, paraphrased from Respondent's memory. Although Respondent claims he did not understand this at the time he sent the emails, this reiteration of questions from the examination was contrary to a "Pledge of Honesty" signed by Respondent, in which Respondent agreed that he would not disclose, copy, or reproduce any portion of the material from his examination.

1.3 In response to Respondent's conduct above, and considering Respondent's admission that he made a mistake, his apology for his conduct, and his

contention that he would not knowingly engage in unethical conduct, the ABIM decided that to maintain board certification, Respondent must: (1) pass a "maintenance of certification examination" in either April or October 2011; (2) perform 50 hours of community service; and (3) complete a peer assessment.

## 2. STIPULATION

2.1 The Commission alleges that the conduct described above, if proven, would constitute a violation of RCW 18.130.180(1).

2.2 The parties wish to resolve this matter by means of a Stipulation to Informal Disposition (Stipulation) pursuant to RCW 18.130.172(1).

2.3 Respondent agrees to be bound by the terms and conditions of this Stipulation.

2.4 This Stipulation is of no force and effect and is not binding on the parties unless and until it is accepted by the Commission.

2.5 If the Commission accepts the Stipulation it will be reported to the Health Integrity and Protection Databank (HIPDB)(45 CFR Part 61), the Federation of State Medical Board's Physician Data Center, and elsewhere as required by law. HIPDB will report this Stipulation to the National Practitioner Data Bank (45 CFR Part 60).

2.6 The Statement of Allegations and this Stipulation are public documents. They will be placed on the Department of Health web site, disseminated via the Commission's listserv, and disseminated according to the Uniform Disciplinary Act (Chapter 18.130 RCW). They are subject to disclosure under the Public Records Act, Chapter 42.56 RCW, and shall remain part of Respondent's file according to the state's records retention law and cannot be expunged.

2.7 The Commission agrees to forego further disciplinary proceedings concerning the allegations.

2.8 Respondent agrees to successfully complete the terms and conditions of this informal disposition.

2.9 A violation of the provisions of Section 3 of this Stipulation, if proved, would constitute grounds for discipline under RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

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### 3. INFORMAL DISPOSITION

The Commission and Respondent stipulate to the following terms.

3.1 **Ethics Course.** Before December 31, 2011, Respondent shall complete the Professional/Problem Based Ethics Course (ProBE), at the Center for Personalized Education for Physicians (CPEP). To satisfy this provision, Respondent must obtain an "unconditional pass" as an assessment following the course. Respondent shall permit CPEP to communicate with the Commission regarding his participation in this course, and shall provide the Commission with a copy of the essay that Respondent writes as part of the course. A failure by Respondent to obtain an "unconditional pass" may result in additional charges for noncompliance under RCW 18.130.180(9).

3.2 **Cost Recovery.** Respondent shall reimburse costs to the Commission in the amount of \$1,000, which must be received by the Commission within three months of the effective date of this Stipulation to Informal Disposition. The reimbursement shall be paid by certified or cashier's check or money order, made payable to the Department of Health and mailed to the Department of Health, Medical Quality Assurance Commission at P.O. Box 1099, Olympia, Washington 98507-1099.

3.3 **Obey Laws.** Respondent must obey all federal, state and local laws and all administrative rules governing the practice of the profession in Washington.

3.4 **Costs.** Respondent must assume all costs that he incurs in complying with this Stipulation.

3.5 **Violations.** If Respondent violates any provision of this Stipulation in any respect, the Commission may take further action against Respondent's license.

3.6 **Change of Address.** Respondent must inform the Commission and the Adjudicative Clerk Office in writing, of changes in his residential and/or business address within thirty (30) days of such change.

3.7 **Termination.** When Respondent provides proof satisfactory to the Commission or its designee that he has completed the ethics coursework required by paragraph 3.2, and has paid the cost recovery required by paragraph 3.3, the Commission will terminate this Stipulation, without petition or appearance by Respondent.

3.9 **Effective Date.** The effective date of this Stipulation to Informal Disposition is the date the Adjudicative Clerk Office places the signed Stipulation into

the U.S. mail. If required, Respondent shall not submit any fees or compliance documents until after the effective date of this Stipulation.

#### 4. COMPLIANCE WITH SANCTION RULES

4.1 The Commission applies the Sanctions Rules, WAC 246-16-800, *et seq.*, to determine appropriate terms for Stipulations to Informal Disposition. The sanctions rules provide several schedules categorized by type of conduct, containing ranges of sanctions. However, when the alleged unprofessional conduct at issue is not described in a schedule, the Commission uses its judgment to determine appropriate terms for stipulations to informal disposition. See WAC 246-16-800(2)(d).

4.2 The conduct at issue in this case involves the alleged inappropriate and unethical provision of board certification examination questions, although in paraphrased form, to an organization preparing examination candidates. There is no schedule in the Sanctions Rules that addresses this alleged misconduct.

4.3 The Commission has determined that the remedial ethics coursework and the cost recovery are appropriate to address the conduct at issue. Respondent's status as a well-respected member of a hospitalist group, his candor and self-reporting regarding the ABIM's action, and his expressed remorse all lead the Commission to conclude that further ethical issues regarding this Respondent are not likely to arise, particularly given the requirements imposed by this Stipulation and by the action of the ABIM.

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**5. RESPONDENT'S ACCEPTANCE**

I, [REDACTED] certify that I have read this Stipulation to Informal Disposition in its entirety; that my counsel of record, Al Van Kampen, has fully explained the legal significance and consequence of it; that I fully understand and agree to all of it; and that it may be presented to the Commission without my appearance. If the Commission accepts the Stipulation to Informal Disposition, I understand that I will receive a signed copy.

[REDACTED]

04/06/11  
DATE

RESPONDENT

Al Van Kampen  
AL VAN KAMPEN, WSEA #13670  
ATTORNEY FOR RESPONDENT

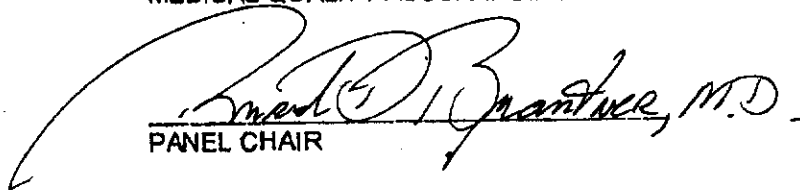
4/3/11  
DATE

**6. COMMISSION'S ACCEPTANCE**


The Commission accepts this Stipulation to Informal Disposition. All parties shall be bound by its terms and conditions.

DATED: April 20<sup>th</sup>, 2011.

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
MEDICAL QUALITY ASSURANCE COMMISSION

  
PANEL CHAIR

PRESENTED BY:

  
JAMES MCLAUGHLIN, WSPA #27349  
DEPARTMENT OF HEALTH STAFF ATTORNEY