

BEFORE THE IDAHO STATE BOARD OF MEDICINE

In the Matter of:

RICHARD J. PINES, D.O.
License No. O-184

Respondent.

Case No. 2011-BOM-537

**INTERLOCUTORY ORDER
LIFTING AGE RESTRICTION**

THIS MATTER is before the Idaho State Board of Medicine (“Board”) pursuant to the request of Respondent, Richard Pines, to lift a restriction on his license contained in the Amended Final Order issued March 6, 2017. On February 10, 2022, Board heard and considered Respondent’s request at its regularly scheduled quarterly meeting. The Board considered the written testimony and evidence presented by Respondent and contained in his file. The Board deliberated to reach a decision and by motion voted to lift the age restriction for Respondent’s patients with the condition specified in Paragraph 6 of the Amended Final Order based on the following and as set forth below:

1. Respondent was granted a restricted license pursuant to the Amended Final Order.

The restrictions included:

- a. For the first five (5) years after he resumed practice, Dr. Pines shall not treat any patients under the age of eighteen years old.
- b. Dr. Pines shall not have any sexual contact with any current patient or with any person who has been a patient within the preceding five (5) years.
- c. Dr. Pines is required to maintain counseling and provide quarterly reports to the Board.

- d. Dr. Pines was required to have a workplace monitor for the first year after he returned to practice.
2. The Amended Final Order also required Respondent to:
 - a. Complete a specified boundaries course.
 - b. Reimburse the Board for costs and attorney fees in about of \$18,877.53 within no later than five (5) years from the date of the Amended Final Order.
3. Paragraphs 4 and 6 of the Amended Final Order permitted Respondent to file a petition with the Board after five (5) years of practice under the Amended Final Order to modify the restriction on the age of his patients. As specified in Paragraph 6, in the event the Board modifies the age restriction, Respondent is required to have a third-party present during consultation and treatment session with patients under the age of eighteen (18)
4. Respondent returned to practice on March 7, 2017. As of March 7, 2022, Respondent will have been practicing for five (5) years.
5. Therefore, on January 3, 2022, Respondent submitted a request to the Board to expand his practice to include patients under the age of eighteen.
6. As of February 10, 2022, the information provided to and obtained by the Board shows that Dr. Pines has complied with all restrictions and requirements of the Amended Final Order.
7. Respondent's quarterly counseling reports do not indicate any concerns for Respondent's continued compliance with the restrictions on his license or his ability to maintain proper boundaries in his practice.
8. In total, the evidence in the record subsequent to the Amended Final Order shows that Respondent has fully complied with the restrictions, conditions, and requirements imposed

and indicates that Respondent will continue to comply with the remaining requirements of the Amended Final Order and appropriate professional boundaries.

THEREFORE, THE BOARD HEREBY ORDERS:

A. The age restriction in Paragraph 4 of the Amended Final Order is lifted as of March 7, 2022, and at that point in time, Respondent may have patients under the age of eighteen (18) pursuant to the condition in Paragraph 6 of the Amended Final Order.

B. Pursuant to Paragraph 6 of the Amended Final Order, Respondent shall be required to have a third-party present during any consultations or treatment sessions involving patients under the age of eighteen (18).

C. All other conditions and restrictions in the Amended Final Order, not already satisfied by Respondent or modified as stated above, remain in full force and effect.

D. Compliance Costs. All costs and expenses, if any, associated with complying with the Amended Final Order and this Interlocutory Order are the sole responsibility of Respondent.

This is a **FINAL ORDER OF THE BOARD**, and due process rights apply as follows:

1. Any party may file a petition for reconsideration of this Final Order within fourteen (14) days of the service date of this Interlocutory Order. The Board will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. *See* Idaho Code § 67-5246(4).

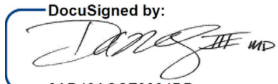
2. Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this Interlocutory Order may appeal this Interlocutory Order by filing a petition in the District Court of the county in Idaho in which: (i) a hearing was held; (ii) the final agency action was taken; (iii) the party seeking review of the order resides, or operates its principal place of business in Idaho;

or (iv) the real property or personal property, if any, that was the subject of the agency action is located.

3. Any appeal must be filed within twenty-eight (28) days of: (i) the service date of this Interlocutory Order; (ii) the service date of an order denying a petition for reconsideration; or (iii) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See* Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED 2/22/2022

IDAHO STATE BOARD OF MEDICINE

DocuSigned by:

By: _____
9AD48ACCF9084DD...

DAVID A. MCCLUSKY III, M.D.
Chairman

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2022, I forwarded a true and correct copy of the foregoing to the following via the method indicated:

Richard John Pines, DO



- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Electronic Mail
- Facsimile:

Matt S Post

Matthew Post
Investigations Specialist

BEFORE THE IDAHO STATE BOARD OF MEDICINE

In the matter of:)
)
RICHARD J. PINES, D.O.) Case No. BOM-2011-537
License No. 0-184)
) **AMENDED FINAL ORDER**
Respondent.)
)
_____)

On March 3, 2017, the Idaho State Board of Medicine considered the Stipulation to Alter or Amend Final Order signed on behalf of Richard Pines, by and through his counsel of record, Dan Skinner of Cantrill Skinner Lewis Casey & Sorensen, LLP, and Jean Uranga Board counsel for the Board of Medicine, and the recommendation of the Committee of Professional Discipline. The Board of Medicine voted to accept and approve the Stipulation. Consequently, the Board voted to issue this Amended Final Order as follows:

1. Dr. Pines shall dismiss his pending District Court appeal.
2. Following issuance of the September 21, 2015, Final Order, Dr. Pines obtained an evaluation at Sante Center for Healing from November 9, 2015, to November 15, 2015. That evaluation recommended that Dr. Pines obtain inpatient treatment at Sante, Pine Grove or the Meadows. From August 1, 2016, to September 14, 2016, Dr. Pines did obtain inpatient treatment at the Meadows.
3. Dr. Pines will be granted a restricted license, subject to full and complete compliance with the following conditions.
4. For the first five (5) years after he resumes practice, Dr. Pines shall not treat any patients under the age of eighteen years old. At the end of the five (5) year period, Dr. Pines

AMENDED FINAL ORDER

may petition the Board to modify this restriction.

5. Dr. Pines shall not have any sexual contact with any current patient or with any person who has been a patient within the preceding five (5) years.

6. Dr. Pines' intent is to return to a clinical setting at a facility such as St. Alphonsus, St. Luke's, V.A. Hospital or Intermountain Hospital. If the Board, in its discretion, modifies the restriction set forth in Paragraph 4 at the end of the five (5) year period, Dr. Pines shall be required to have a third party present during any consultations or treatment sessions involving children under the age of eighteen (18).

7. If Dr. Pines is unable to secure employment in a clinical setting as described above, Dr. Pines will notify the Board of his intention to begin private practice subject to the restrictions described above.

8. Dr. Pines shall attend a boundaries course at Vanderbilt University Medical Center entitled "Maintaining Proper Boundaries" scheduled for April 26-28, 2017. Dr. Pines shall provide the Board with proof of his attendance and successful completion of the Vanderbilt boundaries course.

9. Dr. Pines shall continue in counseling with Tim Collias for so long as Tim Collias determines counseling is needed. If Tim Collias discontinues treatment of Dr. Pines, Dr. Pines shall continue in counseling with another psychiatrist or counselor approved by the Board, or seek an amendment from the Board waiving this requirement. Tim Collias or his successor shall provide the Board with a clinical summary of Dr. Pines treatment and shall provide quarterly reports of Dr. Pines treatment.

10. For the first year after he returns to practice, Dr. Pines shall have a workplace monitor


approved by the Board to regularly review the medical care being provided by Dr. Pines.

The workplace monitor shall provide the Board with quarterly reports.

11. Dr. Pines shall reimburse the Board for costs and attorney fees in the amount for \$18,877.53 over time, but with payment in full no later than five (5) years from the date of the Amended Final Order.

DATED This 6th day of March, 2017

IDAHO STATE BOARD OF MEDICINE

By:  MD

AMENDED FINAL ORDER

Jean R. Uranga
URANGA & URANGA
2600 W. Hillway Drive
P.O. Box 1678
Boise, Idaho 83701
Telephone: (208) 342-8931
Facsimile: (208) 342-7058
Idaho State Bar No. 1763

Attorney for the Board

BEFORE THE IDAHO STATE BOARD OF MEDICINE

In the Matter of:)	
)	Case No. BOM-2011-537
RICHARD J. PINES, D.O.,)	
License No. O-184,)	CERTIFICATE OF SERVICE
)	
Respondent.)	
_____)	

I HEREBY CERTIFY That on the 8th day of March, 2017, I served a true and correct copy of the Amended Final Order dated March 6, 2017, upon Respondent's attorney by emailing and depositing copies thereof in the United States mail, postage prepaid, in envelopes addressed to:

Dan Skinner
Attorney at Law
Cantrill Skinner, Sullivan & King
P.O. Box 359
Boise, Idaho 83701
EMAIL: DanSkinner@cssklaw.com



JEAN R. URANGA

RECEIVED

MAR 09 2017

IDAHO STATE BOARD OF MEDICINE

MAR 09 2017

Jean R. Uranga
URANGA & URANGA
2600 W. Hillway Drive
P.O. Box 1678
Boise, Idaho 83701
Telephone: (208) 342-8931
Facsimile: (208) 342-7058
Idaho State Bar No. 1763

Attorney for the Board

BEFORE THE IDAHO STATE BOARD OF MEDICINE

In the Matter of:)	
)	Case No. BOM-2011-537
RICHARD J. PINES, D.O.,)	
License No. O-184,)	CERTIFICATE OF SERVICE
)	
Respondent.)	
_____)	

I HEREBY CERTIFY That on the 8th day of March, 2017, I served a true and correct copy of the Amended Final Order dated March 6, 2017, upon Respondent's attorney by emailing and depositing copies thereof in the United States mail, postage prepaid, in envelopes addressed to:

Dan Skinner
Attorney at Law
Cantrill Skinner, Sullivan & King
P.O. Box 359
Boise, Idaho 83701
EMAIL: DanSkinner@cssklaw.com



JEAN R. URANGA