



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Carlo G. Carandang, MD
Master Case No.: M2012-994
Document: Agreed 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.

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

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

CARLO G. CARANDANG, MD
License No. MD00036496

Respondent

No. M2012-994

**STIPULATED FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
AGREED ORDER**

The Medical Quality Assurance Commission (Commission), through Michael Farrell, Department of Health Staff Attorney, and Respondent, represented by Thomas Fain, attorney at law, stipulate and agree to the following.

1. PROCEDURAL STIPULATIONS

1.1 On November 19, 2012, the Commission issued a Statement of Charges against Respondent.

1.2 In the Statement of Charges, the Commission alleges that Respondent violated RCW 18.130.180(1) and (5).

1.3 The Commission is prepared to proceed to a hearing on the allegations in the Statement of Charges.

1.4 Respondent has the right to defend against the allegations in the Statement of Charges by presenting evidence at a hearing.

1.5 The Commission has the authority to impose sanctions pursuant to RCW 18.130.160 if the allegations are proven at a hearing.

1.6 The parties agree to resolve this matter by means of this Stipulated Findings of Fact, Conclusions of Law and Agreed Order (Agreed Order).

1.7 Respondent waives the opportunity for a hearing on the Statement of Charges if the Commission accepts this Agreed Order.

1.8 This Agreed Order is not binding unless it is accepted and signed by the Commission.

1.9 If the Commission accepts this Agreed Order, it will be reported to the Health Integrity and Protection Databank (HIPDB)(45 CFR Part 61), the Federation of State Medical

Boards' Physician Data Center and elsewhere as required by law. HIPDB will report this Agreed Order to the National Practitioner Data Bank (45 CFR Part 60).

1.10 This Agreed Order is a public document. It will be placed on the Department of Health's website, disseminated via the Commission's electronic mailing list, and disseminated according to the Uniform Disciplinary Act (Chapter 18.130 RCW). It may be disclosed to the public upon request pursuant to the Public Records Act (Chapter 42.56 RCW). It will remain part of Respondent's file according to the state's records retention law and cannot be expunged.

1.11 If the Commission rejects this Agreed Order, Respondent waives any objection to the participation at hearing of any Commission members who heard the Agreed Order presentation.

2. FINDINGS OF FACT

Respondent and the Commission stipulate to the following facts:

2.1 On July 21, 1998, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent's license expired May 1, 2012, but is subject to renewal

2.2 Respondent is a psychiatrist residing in Nova Scotia, whose practice involves the provision of psychiatric care to minors and others. He is board certified in Psychiatry and Neurology.

2.3 On December 11, 2011 the College of Physicians & Surgeons of Nova Scotia issued an interim suspension of Respondent's license to practice as a physician and surgeon in that jurisdiction.

2.4 On October 4, 2012 the College lifted the suspension. On October 19, 2012, the College issued a Notice of Lifting of License Suspension and Notice of Reprimand and Conditions (Nova Scotia Notice). In the Nova Scotia Notice, Respondent consented to a reprimand and conditions on his license.

2.5 In the Nova Scotia Notice, the College reprimanded Respondent for:

a) Soliciting sexual services from an underage sex trade worker when his practice focus involved the same age of client as the sex trade worker; Respondent said he believed the sex trade worker was 23 years of age;

- b) Causing interference with his practice from his relationship with the sex trade worker including being late for his clinic and texting her while seeing patients;
- c) Misrepresenting information to the Investigation Committee with respect to the number of sex trade workers whose services he had engaged, and with respect to the extent of his relationship with the sex trade worker;
- d) Failing to be forthcoming with his sponsor respecting his relationship with sex trade workers; and
- e) Failing to show insight into the effect of his conduct, noting that it was a personal error but not a professional one.

2.6 In the Nova Scotia Notice, Respondent agreed to the following conditions on his license:

- a) His treating psychiatrist and psychologist must receive a copy of the decision of the Investigation Committee, and must provide reports to the College on a semi-annual basis advising of his progress and also advising of any relapses;
- b) He must provide a copy of his relapse prevention plan to the College and follow such plan;
- c) He must continue in long-term psychotherapy for such period of time and in such manner as recommended by his treating psychiatrist and psychologist;
- d) He must follow any pharmacotherapy recommendations from his family physician or psychiatrist and ensure regular visits to his family physician. He must ensure his family physician provides semi-annual reports to the College advising of his progress and also advising of any relapses, be they physical, psychological or social that could compromise clinical performance;
- e) He must continue regular attendance in SAA, and have a SAA Sponsor;
- f) He must practice in a group setting that includes at least one psychiatrist, and not in a solo setting; and
- g) He must continue his association with Dr. Carolyn Thomson through Doctors Nova Scotia, Physician Support Program, for such period of time as recommended by Dr. Thomson.

3. CONCLUSIONS OF LAW

The Commission and Respondent agree to the entry of the following Conclusions of Law.

3.1 The Commission has jurisdiction over Respondent and over the subject matter of this proceeding.

3.2 Respondent has committed unprofessional conduct in violation of RCW 18.130.180(1) and (5).

3.3 The above violations provide grounds for imposing sanctions under RCW 18.130.160

4. AGREED ORDER

Based on the Findings of Fact and Conclusions of Law, Respondent agrees to entry of the following Agreed Order.

4.1 **License Status.** Respondent's license expired on May 1, 2012. Respondent is eligible to renew his license.

4.2 **Probation Period.** Respondent's license is placed on probation subject to the terms and conditions listed below.

4.3 **Compliance with Nova Scotia Notice.** Respondent must comply with the terms and conditions of the Agreement with College of Physicians & Surgeons of Nova Scotia.

4.4 **Therapy.** Respondent must continue in long-term psychotherapy for such period of time and in such manner as recommended by his treating psychiatrist and psychologist. Respondent will ensure that his treating psychiatrist and psychologist provide semi-annual reports to the Commission of his progress in treatment and of any relapses. Respondent must follow any pharmacotherapy recommendations from his psychiatrist.

4.5 **Relapse Prevention Plan.** Respondent must provide a copy of his relapse prevention plan to the Commission and follow such plan.

4.6 **Primary Care Provider.** Respondent must follow any pharmacotherapy recommendations from his primary care provider and ensure regular visits to his primary care provider. He must ensure his primary care provider provides semi-annual reports to the Commission advising of his progress and also advising of any relapses, be they physical, psychological or social that could compromise clinical performance.

4.7 **SAA.** Respondent must continue regular attendance in SAA and have a sponsor.

4.8 **Group Setting.** Respondent must practice in a group setting that includes at least one psychiatrist, and not in a solo setting.

4.9 **Reports.** Respondent must submit copies of all reports required by this Agreed Order and the Agreement with the College of Physicians and Surgeons of Nova Scotia to:

Compliance Officer
Medical Quality Assurance Commission
P.O. Box 47866
Olympia, Washington 98504.

4.10 **Termination of Agreed Order.** Respondent may petition to terminate this Agreed Order after he provides the Commission with written proof that he has fully complied with the Nova Scotia Order and the conditions in the in the Nova Scotia Order have been terminated. The Commission has sole discretion to grant or deny Respondent's petition. This will depend on a number of factors, including Respondent's compliance with the terms and conditions of this Agreed Order and Respondent's demonstration that he can practice medicine with reasonable skill and safety. If the Commission terminates the terms and conditions of this Agreed Order, and Respondent's license is expired at the time of the termination, and Respondent subsequently decides to practice in Washington, he must apply for a license as a new applicant, and cannot renew his expired license.

4.11 **Obey all Laws.** Respondent shall obey all the federal, state, local laws, and the administrative rules that govern the practice of the profession in Washington.

4.12 **Change of Address.** Respondent shall inform the Program and the Adjudicative Clerk Office, in writing, of changes in Respondent's residential and/or business address within thirty (30) days of the change.

4.13 **Effective Date.** The effective date of this Agreed Order is the date the Adjudicative Clerk Office places the signed Agreed Order into the U.S. mail. If required, Respondent shall not submit any fees or compliance documents until after the effective date of this Agreed Order.

4.14 **Violation of Order.** If Respondent violates any provision of this Agreed Order in any respect, the Commission may initiate further action against Respondent's license.

4.15 **Compliance Costs.** Respondent is responsible for all of his costs of complying with this Agreed Order.

5. COMPLIANCE WITH SANCTION RULES

The Commission applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions. WAC 246-16-800(2)(d) states that if the sanction schedules do not address the misconduct, the disciplining authority will use its judgment to determine appropriate sanctions.

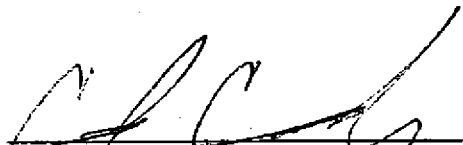
Respondent was disciplined by the College of Physicians & Surgeons of Nova Scotia and violated RCW 18.130.180(5). The sanction schedules do not address the misconduct. The Commission therefore uses its judgment in determining the appropriate sanctions in this case. The Commission imposes the same restrictions that are in place in Nova Scotia. These sanctions adequately protect the public in the state of Washington.

6. FAILURE TO COMPLY

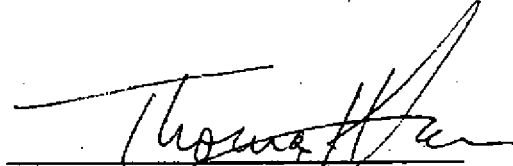
Protection of the public requires practice under the terms and conditions imposed in this order. Failure to comply with the terms and conditions of this order may result in suspension of the license after a show cause hearing. If Respondent fails to comply with the terms and conditions of this order, the Commission may hold a hearing to require Respondent to show cause why the license should not be suspended. Alternatively, the Commission may bring additional charges of unprofessional conduct under RCW 18.130.180(9). In either case, Respondent will be afforded notice and an opportunity for a hearing on the issue of non-compliance.

7. RESPONDENT'S ACCEPTANCE

I, Carlo G. Carandang, MD, Respondent, have read, understand and agree to this Agreed Order. My counsel of record, Thomas Fain, has fully explained the legal significance and consequence of it. This Agreed Order may be presented to the Commission without my appearance. I understand that I will receive a signed copy if the Commission accepts this Agreed Order.


CARLO G. CARANDANG, MD
RESPONDENT

Jan. 30, 2013
DATE


THOMAS FAIN, WSBA #7117
ATTORNEY FOR RESPONDENT


Feb 11, 2013
DATE

8. COMMISSION'S ACCEPTANCE AND ORDER


The Commission accepts and enters this Stipulated Findings of Fact, Conclusions of Law and Agreed Order.

DATED: Feb. 21, 2013.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION


PANEL CHAIR

PRESENTED BY:


MICHAEL FARRELL, WSBA #16022
DEPARTMENT OF HEALTH STAFF ATTORNEY

2-21-13
DATE

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