



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
Olympia, Washington 98504

RE: Robert I. Fink, MD  
Master Case No.: M2016-712  
Document: Stipulation to Informal Disposition

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  
MEDICAL QUALITY ASSURANCE COMMISSION**

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

**ROBERT I. FINK, MD**  
License No. MD00016904

Respondent.

No. M2016-712

**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 and shall not be construed as a finding of unprofessional conduct or inability to practice.

**1. ALLEGATIONS**

1.1 On September 12, 1978, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent's license is currently active.

1.2 Respondent is a psychiatrist who became socially involved with Patients A, B and C. Respondent first met Patient C who later referred Patients A and B, a couple, to do various repair jobs on his properties. Because of Respondent's personal relationships with Patients A, B, and C, Respondent violated the standard of care by also serving as their medical provider.

*Boundary violations with Patient A*

1.3 Respondent began treating Patient A in 2007. Respondent thought he could maintain confidentiality and objectivity in his treatment of Patient A while maintaining a personal relationship.

1.4 Patient A is diagnosed with attention deficit hyperactivity disorder (ADHD) and has a history of substance abuse. Respondent dismissed several indications that Patient A was still abusing substances, including her openly admitting that she misused substances. Patient A and Respondent corresponded via email.

1.5 In 2011, Respondent allowed Patients A and B to move into his home. Subsequently, Respondent and Patient A entered a sexual relationship. Patient A

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performed repair work on Respondent's home and Respondent and Patient A went to the casino together. Respondent took Patient A to the railroad tracks where he took photographs of her posing in a costume.

1.6 In 2015, Respondent terminated his relationship with Patient A to move to New Zealand for work. Both Patients A and B moved out of Respondent's home and no longer work for him.

Inappropriate treatment and prescribing practices

1.7 Respondent prescribed Patients A, B, and C medications generally used to treat chronic non-cancer pain. Respondent failed to consult with or refer Patients A, B, and C to a pain management specialist. At no time did Respondent attempt to properly evaluate pain levels, establish a treatment plan, document that he discussed the risks and benefits of treatment, and failed to document treatment alternatives prior to prescribing opioid pain medication.

1.8 In his first letter to the Commission, Respondent stated that he thought it might be all right to treat friends on occasion but later realized that he was unable to manage their health care needs appropriately, and as intended.

**2. STIPULATION**

2.1 The Commission alleges that the conduct described above, if proven, would constitute a violation of RCW 18.130.180 (1), (4), (7), (11), and (24); WAC 246-919-630; and WAC 246-919-853-857, -860.

2.2 The parties wish to resolve this matter by means of a 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 National Practitioner Data Bank (45 CFR Part 60), the Federation of State Medical Boards' Physician Data Center and elsewhere as required by law.

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 electronic mailing list, 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.

### 3. INFORMAL DISPOSITION

Based on the Allegations made in Section 1 of this Stipulation, the Commission and Respondent stipulate to the following terms:

3.1 **Voluntary Surrender.** Respondent is retiring from the practice of medicine and agrees to voluntarily surrender his license to practice as a physician and surgeon and agrees not to resume the practice of medicine in the state of Washington, including any temporary, emergency, or volunteer practice. This voluntary surrender is permanent and is effective on the effective date of this Stipulation described below. Respondent acknowledges that he is ineligible to renew, reactivate, or to practice subject to a retired active license as a physician and surgeon in the state of Washington.

3.2 **Return of License.** Respondent agrees to immediately return his wallet license card and wall license certificate, if they exist, to:

Compliance Officer  
Medical Quality Assurance Commission  
P.O. Box 47866  
Olympia, WA 98504-7866

3.3 **Effective Date of Order.** The effective date of this Stipulation is the date the Adjudicative Clerk Office places the signed Stipulation into the U.S. mail.

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**4. COMPLIANCE WITH SANCTION RULES**

4.1 The Commission applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions. WAC 246-16-800(2)(b)(iii) provides that surrender of a license may be imposed when the license holder is at the end of his or her effective practice and surrender alone is enough to protect the public. Respondent is at the end of his effective practice as a physician and surgeon. Voluntary surrender of Respondent's license to practice as a physician and surgeon with no right to reinstate or re-apply is sufficient to protect the public.

**5. RESPONDENT'S ACCEPTANCE**

I, ROBERT I. FINK, MD, Respondent, certify that I have read this Stipulation in its entirety; that my counsel of record, DONNA M. MONIZ, 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, I understand that I will receive a signed copy.

Robert I. Fink  
ROBERT I. FINK, MD  
RESPONDENT

21 September 2016  
DATE

Donna M. Moniz  
DONNA M. MONIZ, WSBA# 12762  
ATTORNEY FOR RESPONDENT

9-22-16  
DATE

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**6. COMMISSION'S ACCEPTANCE**

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

DATED: October 7, 2016.

STATE OF WASHINGTON  
MEDICAL QUALITY ASSURANCE  
COMMISSION

  
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PANEL CHAIR

PRESENTED BY:

  
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SEANA M. REICHOLD, WSBA# 49163  
COMMISSION STAFF ATTORNEY