

**STATE OF WASHINGTON  
WASHINGTON MEDICAL COMMISSION**

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

**MENDEL M. GORDIN, MD**  
License No. MD.MD.00028756

Respondent.

**No. M2022-363**

**STIPULATION TO INFORMAL  
DISPOSITION**

Pursuant to the Uniform Disciplinary Act, Chapter 18.130 RCW, the Washington Medical 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 July 9, 1991, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent is not board-certified. Respondent's license is currently active.

**Patient A**

1.2 On or about June 1, 2021, Respondent saw Patient A for a psychiatric evaluation.

1.3 During the appointment Respondent made an inappropriate comment to Patient A to the effect of, "You remind me of someone I used to date, she had a pelvis like you."

1.4 Respondent stepped out of the exam room during the appointment and took a phone call regarding another patient. Patient A could hear the personal details of the other patient's call.

1.5 Respondent also experienced several brief episodes, during the appointment with Patient A, where Respondent either fell asleep or lost consciousness.

**Patient B**

1.6 On August 18, 2022, a mandatory reporter alleged that on May 1, 2022, Respondent made several inappropriate comments to Patient B and misdiagnosed her.

1.7 On September 8, 2022, the Commission sent a Letter of Cooperation to Respondent requiring Respondent to provide a complete explanation covering the matter contained in the complaint within twenty-one (21) days from receipt of the letter. Respondent did not comply with the Commission's Letter of Cooperation.

1.8 On September 8, 2022, the Commission sent a request for medical records to respondent, requiring Respondent to furnish copies of Respondent's medical records for Patient B within fourteen (14) days of receipt of the letter. Respondent did not comply with the Commission's request for records.

## **2. STIPULATION**

2.1 The Commission alleges that the conduct described above, if proven, would constitute a violation of RCW 18.130.180(4), (8)(a) and (b), (24), and WAC 246-919-640(1)(a).

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 forgo further disciplinary proceedings concerning the allegations.

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

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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

The Commission and Respondent stipulate to the following terms:

#### 3.1 **Voluntary Surrender.**

3.1.1 Respondent agrees to voluntarily surrender his physician license, within (5) five days of the effective date of this stipulation. In the meantime, Respondent agrees to practice administrative medicine only with respect to winding up his practice and assisting patients with referrals to alternate providers. Respondent agrees not to resume the practice of medicine in the state of Washington, including any temporary, emergency or volunteer practice. In addition, Respondent shall refrain from providing an opinion as to professional practice or its application and from representing that Respondent is eligible to practice medicine. Respondent acknowledges that he is ineligible to renew, reactivate, or to practice subject to a retired active license as a physician in the state of Washington.

3.1.2 Within five (5) days of the effective date of the Stipulation, Respondent shall deliver Respondent's original license to practice medicine to Compliance Officer, Washington Medical Commission, P.O. Box 47866, Olympia, Washington 998504-7866.

3.1.3 Within 15 days of the effective date of the Stipulation, Respondent shall notify all patients of the cessation of Respondent's medical practice, and shall refer all patients to another licensed practicing physician for continued care, as appropriate. Respondent shall notify, in writing, each health care plan with which the Respondent contracts or is employed, and each hospital where Respondent has privileges, that Respondent has ceased medical practice. Within 45 days of the Stipulation's effective date, Respondent shall provide the Commission with written documentation that all patients and hospitals have been notified of the cessation of Respondent's medical practice.

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3.1.4 Respondent shall make arrangements for the transfer and maintenance of all patient's medical records. Within 30 days of the effective date of the Stipulation, Respondent shall notify the Commission of these arrangements, including the name, address, and telephone number of an appropriate and acceptable contact person who shall have access to these records. Original records shall be retained for at least six (6) years after the last date of service rendered to a patient or, in the case of a minor, for at least six (6) years after the last date of service or three (3) years after the patient reaches the age of majority, whichever time period is longer. Records shall be maintained in a safe and secure place that is reasonably accessible to former patients. The arrangements shall include provisions to ensure that the information in the record is kept confidential and is available only to authorized persons. When a patient or a patient's representative requests a copy of the patient's medical record, or requests that the original medical record be sent to another health care provider, a copy of the record shall be promptly provided or forwarded at a reasonable cost to the patient. Radiographic, sonographic and similar materials shall be provided at cost. A qualified person shall not be denied access to patient information solely because of an inability to pay.

3.1.5 In the event that Respondent holds a Drug Enforcement Administration (DEA) certificate for the state of Washington, Respondent shall, within 15 days of the effective date of the Stipulation, advise the DEA, in writing, of the licensure action and shall surrender Respondent's DEA controlled substance privileges for the state of Washington to the DEA. Respondent shall promptly surrender any unused DEA #222 U.S. Official Order Forms Schedules 1 and 2 for the state of Washington to the DEA. All submissions to the DEA shall be addressed to Diversion Program Manager, U.S. Drug Enforcement Administration, 300 Fifth Avenue, Seattle, Washington 98104.

3.1.6 Within 15 days of the Stipulation's effective date, Respondent shall destroy any unused state of Washington official prescription forms. If no other practitioner is providing services at Respondent's practice location, Respondent shall properly dispose of all medications.

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3.1.7 Within 15 days of the effective date of this Stipulation, Respondent shall remove from the public domain any representation that Respondent is eligible to practice medicine, including all related signs, advertisements, professional listings, web sites, professional stationery or billings. Respondent shall not share, occupy, or use office space in which another practitioner who provides health care services.

3.1.8 Respondent shall not charge, receive or share any fee or distribution of dividends for professional services rendered by Respondent or others while Respondent is barred from engaging in the practice of medicine. Respondent may be compensated for the reasonable value of services lawfully rendered, and disbursements Incurred on a patient's behalf, prior to the effective date of this Stipulation.

3.1.9 If Respondent is a shareholder in any professional service corporation organized to engage in the practice of medicine, Respondent shall divest all financial Interest in the professional services corporation, in accordance with Washington law. Such divestiture shall occur within 90 days. If Respondent is the sole shareholder in a professional services corporation, the corporation must be dissolved or sold within 90 days of the effective date of the Stipulation.

3.1.10 Practicing medicine without a valid license may result in civil or criminal action. Under RCW 180.130.190(3), the practice of medicine without a license may result in the issuance of a cease and desist order and a civil fine in an amount not exceeding one thousand dollars for each day upon which the person engaged in unlicensed practice of a business or profession for which a license is required. Under RCW 18.130.190(7), the unlicensed practice of a profession is a gross misdemeanor for the first violation, and a Class C felony for each subsequent violation.

3.2 **Effective Date.** 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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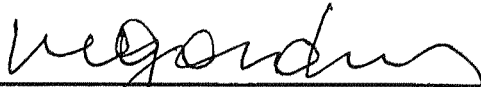
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**4. COMPLIANCE WITH SANCTION RULES**

4.1 The Commission applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions, including stipulations to informal disposition under RCW 18.130.172. WAC 246-16-800(2)(b)(iii) provides for surrender of a credential by a license holder as an alternative to imposing sanctions consistent with the sanction guidelines. Respondent has retired as a physician and has no future plans of returning to practice. Respondent is at the effective end of his practice and surrender alone is enough to protect the public.

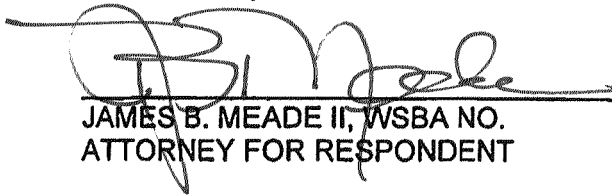
**5. RESPONDENT'S ACCEPTANCE**

I, MENDEL M. GORDIN, MD, Respondent, certify that I have read this Stipulation in its entirety; that my counsel of record, DAVIS R. WATSON III and JAMES B. MEADE II, 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.



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MENDEL M. GORDIN, MD  
RESPONDENT

4/13/2023  
\_\_\_\_\_  
DATE



\_\_\_\_\_  
JAMES B. MEADE II, WSBA NO.  
ATTORNEY FOR RESPONDENT

4/13/2023  
\_\_\_\_\_  
DATE

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DAVIS R. WATSON III, WSBA NO.  
ATTORNEY FOR RESPONDENT

\_\_\_\_\_  
DATE

**6. COMMISSION'S ACCEPTANCE**

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

DATED: April 13, 2023.

STATE OF WASHINGTON  
WASHINGTON MEDICAL COMMISSION

*Sarah Lyle MD*

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PANEL CHAIR

PRESENTED BY:

*Rick Glein*

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RICK GLEIN, WSBA NO. 23692  
COMMISSION STAFF ATTORNEY