

**STATE OF WASHINGTON
WASHINGTON MEDICAL COMMISSION**

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

WILLIAM F. HILTZ, MD
License No. MD.MD.00042350

Respondent

No. M2022-55

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
FINAL ORDER OF DEFAULT
(Failure to Respond)**

This matter comes before the Health Law Judge for Final Order of Default. Based on the record, the Health Law Judge, on designation by the Washington Medical Commission (Commission) now issues the following:

1. FINDINGS OF FACT

1.1 On May 19, 2003, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent's license is currently expired in renewal.

1.2 The Commission has filed the Declaration of Trisha Wolf, staff attorney, with attached exhibits.

1.3 On or about September 2, 2022, the Commission served a Notice of Intent to Order Investigative Mental Examination (Notice of Intent) to Respondent that required Respondent to respond within twenty days. Respondent did not respond within twenty days. On or about December 7, 2022, the Commission served a Findings of Fact, Conclusions of Law, and Order for Investigative Mental Examination (Order) to Respondent that required Respondent to make an appointment for the examination within seven days of receiving the Order. Respondent did not make an appointment for an examination within seven days of receipt of the Order. On or about February 27, 2023, the Commission filed a Statement of Charges alleging that Respondent committed unprofessional conduct under RCW 18.130.180(9) when he failed to respond to an order issued by the Commission. The Commission served Respondent with a copy of the following documents at Respondent's last known address:

- A. Statement of Charges;
- B. Notice of Legal Rights and Interpreter Request; and
- C. Answer to Statement of Charges Form.

1.4 The Answer to the Statement of Charges was due in the Adjudicative Clerk Office by March 20, 2023.

1.5 To date, the Adjudicative Clerk Office has not received an answer to the Statement of Charges.

1.6 The Commission has no reason to believe Respondent is now or was in active military service, or a dependent of a person in active military service at the time the Statement of Charges was served.

2. CONCLUSIONS OF LAW

2.1 The Commission has jurisdiction over Respondent and over the subject matter of this case, RCW 18.130.040.

2.2 Respondent did not file a response to the Statement of Charges within the time allowed. WAC 246-11-270(1)(a)(i) or WAC 246-11-270(3). Respondent is in default and the Commission may issue a final order based on the evidence presented, RCW 18.130.090(1) and RCW 34.05.440.

2.3 Based upon the Findings of Fact, Respondent has engaged in unprofessional conduct in violation of RCW 18.130.180(9).

2.4 Sufficient grounds exist to take disciplinary action against Respondent's license. RCW 18.130.160 and 18.130.180.

3. ORDER

The COMMISSION ORDERS:

3.1 Respondent's license to practice as a physician and surgeon in the state of Washington is INDEFINITELY SUSPENDED.

3.2 Respondent shall immediately return all licenses to the Commission within **ten (10) days** of receipt of this Order.

3.3 If Respondent violates any provision of this Order in any respect the Commission may take further action against Respondent's license.

3.4 The effective date of this Order is that date the Adjudicative Clerk Office places the signed order into the U.S. mail. Respondent shall not submit any fees or compliance documents until after the effective date of this Order.

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4. COMPLIANCE WITH SANCTION RULES

4.1 The Commission applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions in final orders pursuant to RCW 18.180.110. WAC 246-16-800(2) and (3) require the Health Law Judge to apply sanctions based on the appropriate sanction schedule(s).

4.2 WAC 246-16-800(2)(b)(iv) provides that “indefinite suspension may be imposed in default and waiver of hearing orders.” The sanction of indefinite suspension adequately addresses the facts of this case and is an appropriate sanction.

5. NOTICE TO PARTIES

This Order will be reported to the National Practitioner Data Bank (45 CFR Part 60), the Federation of State Medical Board’s Physician Data Center and elsewhere as required by law. This Order is a public document. It will be placed on the Department of Health’s website, disseminated via the Commission’s listserv, 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.

Either Party may file a **petition for reconsideration**, RCW 34.05.461(3); 34.05.470. The petition must be filed within **ten (10) days** of service of this Order with:

Adjudicative Clerk Office
Adjudicative Service Unit
PO Box 47879
Olympia, WA 98504-7879

and a copy must be sent to:

State of Washington
Washington Medical Commission
PO Box 47866
Olympia WA 98504-7866

The petition must state the specific grounds upon which reconsideration is requested and the relief requested. The petition for reconsideration is considered denied twenty (20) days after the petition is filed if the Adjudicative Clerk Office has not responded to the petition or served written notice of the date by which action will be taken

on the petition.

A **petition for judicial review** must be filed and served within **thirty (30) days** after service of this Order. RCW 34.05.542. The procedures are identified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. A petition for reconsideration is not required before seeking judicial review. If a petition for reconsideration is filed, however, the thirty (30) day period will begin to run upon the resolution of that petition, RCW 34.05.470(3).

The Order remains in effect even if a petition for reconsideration or petition for review is filed. "Filing" means actual receipt of the document by the Adjudicative Clerk Office, RCW 34.05.010(6). This Order was "served" upon you on the day it was deposited in the United States mail, RCW 34.05.010(19).

DATED: _____ April 12 _____, 2023.

STATE OF WASHINGTON
WASHINGTON MEDICAL COMMISSION



HEALTH LAW JUDGE

PRESENTED BY:



TRISHA WOLF, WSBA NO. 48118
COMMISSION STAFF ATTORNEY