

**STATE OF WASHINGTON
WASHINGTON MEDICAL COMMISSION**

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

MICHAEL J. GUNDLE, MD
License No. MD.MD.00024861

Respondent.

No. M2023-490

**STATEMENT OF ALLEGATIONS
AND SUMMARY OF EVIDENCE**

The Executive Director of the Washington Medical Commission (Commission), on designation by the Commission, makes the allegations below, which are supported by evidence contained in Commission file number 2022-14617. The non-patient person referred to in this Statement of Allegations and Summary of Evidence is identified in the attached Confidential Schedule.

1. ALLEGATIONS

1.1 On July 1, 1987, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent's license is currently active. Respondent is board certified in psychiatry.

1.2 In December 2022, the Commission received a complaint documenting concerns about Respondent's inability to practice safely due to a progressing medical condition.

1.3 During the Commission's investigation, Respondent acknowledged his medical condition and indicated he was retiring on March 1, 2023, and had no plans to practice in the future.

1.4 Respondent regularly prescribed Lorazepam¹ to his wife, Person A, between 2019 and 2021. Respondent acknowledged writing the prescriptions and indicated they were for his wife's occasional insomnia. Respondent stated his wife was not his patient and he no longer writes prescriptions for her or for anyone else.

2. SUMMARY OF EVIDENCE

2.1 Complaint, received December 5, 2022.

2.2 Respondent's written statement to the Commission, dated March 25, 2023.

¹ Lorazepam is a benzodiazepine that is typically prescribed to treat anxiety disorders.

2.3 Respondent's Prescription Monitoring Program Prescriber Activity Report, prepared February 27, 2023.

3. ALLEGED VIOLATIONS

3.1 The facts alleged in Section 1, if proven, would constitute unprofessional conduct in violation of RCW 18.130.180(4) which provides in part:

RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

...

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

...

4. NOTICE TO RESPONDENT

4.1 The Commission has determined that this case may be appropriate for resolution through a Stipulation to Informal Disposition (Stipulation) pursuant to RCW 18.130.172(2). A proposed Stipulation is attached, which contains the disposition the Commission believes is necessary to address the conduct alleged in this Statement of Allegations and Summary of Evidence.

4.2 If Respondent agrees that the disposition imposed by the Stipulation is appropriate, Respondent should sign and date the Stipulation and return it within **twenty-eight (28) days** to the Washington Medical Commission at P.O. Box 47866, Olympia, Washington 98504-7866.

4.3 If Respondent does not agree that the terms and conditions contained in the Stipulation are appropriate, Respondent should contact Joel DeFazio, Staff Attorney for the Washington Medical Commission, P.O. Box 47866, Olympia, Washington 98504-7866, (360) 236-4668 within **twenty-eight (28) days**.

4.4 If Respondent does not respond within **twenty-eight (28) days**, the Commission will assume Respondent has declined to resolve the allegations by means of a Stipulation.

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4.5 If Respondent declines to resolve the allegations by means of a Stipulation pursuant to RCW 18.130.172(2), the Commission may proceed to formal disciplinary action against Respondent by filing a Statement of Charges, pursuant to RCW 18.130.172(3).

4.6 The cover letter enclosed with this Statement of Allegations and Summary of Evidence was mailed to the name and address currently on file for Respondent's license. Respondent must notify, in writing, the Commission if Respondent's name and/or address changes.

DATED: August 2, 2023.

STATE OF WASHINGTON
WASHINGTON MEDICAL COMMISSION



MELANIE DE LEON
EXECUTIVE DIRECTOR



JOEL DEFAZIO, WSBA NO. 48141
COMMISSION STAFF ATTORNEY

CONFIDENTIAL SCHEDULE

This information is confidential and is NOT to be released without the consent of the individual or individuals named herein. RCW 42.56.240(1)

Patient A 