



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Steven P. Jewitt, MD
Docket No.: 03-08-A-1005MD
Document: Statement of Charges

Regarding your request for information about the above-named practitioner, 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:

The identity of the complainant if the person is a consumer, health care provider, or employee, pursuant to RCW 43.70.075 (Identity of Whistleblower Protected) and/or the identity of a patient, pursuant to RCW 70.02.020 (Medical Records - Health Care Information Access and Disclosure)

Information regarding an individual's health care, including where they received health care services, their medical condition, care provided, etc., pursuant to RCW 42.17.312 (Public Records Disclosure) and RCW 70.02.020 (Medical Records - Health Care Information Access and Disclosure)

If you have any questions or need additional information regarding the information that was withheld, please contact:

Adjudicative Clerk Office
P.O. Box 47879
Olympia, WA 98504-7879
Phone: (360) 236-4677
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to the Deputy Secretary, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

FILED
NOV 12 2003
Adjudicative Clerk Office

In the Matter of the License to Practice)
As a Physician and Surgeon of:) **Docket No. 03-08-A-1005MD**
)
STEVEN P. JEWITT, MD) **STATEMENT OF CHARGES**
License No. MD00025449)
)
_____ Respondent.)

The Program Manager of the Medical Quality Assurance Commission (Commission), on designation by the Commission, makes the allegations below, which are supported by evidence contained in program case file Nos. 2002-12-0061MD and 2003-07-0057MD. Any patients referred to in this Statement of Charges are identified in an attached Confidential Schedule.

Section 1: ALLEGED FACTS

1.1 Steven P. Jewitt, MD, Respondent, was issued a license to practice medicine and surgery by the state of Washington on April 29, 1988.

1.2 Respondent plead guilty in US District Court, Western District of Washington (Court), to a single count of Knowingly and Intentionally Acquiring a Controlled Substance by Misrepresentation, Deception and Subterfuge, which was accepted by a federal judge on July 18, 2003. Sentencing of Respondent by the Court occurred on July 18, 2003 and included, among other conditions, placing Respondent on probation for a term of five (5) years; Respondent shall refrain from any unlawful use of a controlled substance; Respondent shall submit to one drug test within fifteen (15) days of placement on probation and at least two periodic drug tests thereafter; Respondent shall participate in a drug treatment program; Respondent shall pay restitution in the

ORIGINAL

amount of \$8,609.84; Respondent shall pay a fine of \$2,000, and Respondent shall participate in a home confinement program with electronic monitoring for a period of 180 days.

1.3 Respondent admitted to supplying nine (9) Veterans Administration (VA) patients, and four (4) private patients with prescriptions for controlled substances (primarily Hydrocodone and Oxycodone) that were filled by the patients and then given to Respondent for his own use. Respondent reimbursed the patients for any out-of-pocket expenses incurred by them and sometimes shared the drugs with them. Respondent did not make, or keep, any medical records for the four private patients he continued writing prescriptions for after his employment in 1997 by the VA.

1.4 Respondent underwent treatment [REDACTED] for chemical addiction, being discharged in late January 2003, and Respondent subsequently [REDACTED]

1.5 [REDACTED]

[REDACTED] that Respondent is not currently impaired, and therefore that Respondent is able to practice medicine with reasonable safety.

1.6 Respondent first saw Patient One, a [REDACTED]-year-old female, in 1995 with principal complaints of Panic Disorder and Post Traumatic Stress Disorder associated with a history of physical and sexual abuse. In 1997 Respondent closed his private practice and went to work for the VA, but continued to serve as Patient One's supplier of medications. Respondent did not make or keep any record of his prescriptions for Patient One.

1.7 Over a five (5) year period of time, from approximately 1997 through 2002, Respondent admitted to supplying Patient One with prescriptions for controlled substances (primarily Hydrocodone and Oxycodone) that were filled by Patient One and then given to

Respondent for his own use. For the first three (3) years, Respondent paid for the drugs; for the remaining two (2) years, Patient One paid, by co-pays and through her insurer, for the narcotic prescriptions. Respondent did not disclose the information regarding his private patients also supplying him with controlled substances to the federal investigators, the US District Court or either his criminal or current attorney until Patient One reported her involvement with Respondent to the Commission.

1.8 From 1997 through October 2002, Respondent continued to prescribe increasing doses of Xanax (alprazolam) for Patient One, who eventually became addicted, requiring detoxification and further treatment by other practitioners.

1.9 In May 2003, Respondent agreed to give to, and gave, Patient One eight thousand dollars (\$8,000), allegedly for Patient One's addiction treatment at Lakeside/Mylam in Kirkland. Respondent also agreed to give to, and gave, Patient One an additional six thousand dollars (\$6,000), allegedly for the care of Patient One's husband during Patient One's absence for addiction treatment. Respondent also agreed to give to, and gave, Patient One an additional one thousand dollars (\$1,000) for a trip to Hawaii, after Patient One completed her treatment. Respondent characterized the fifteen thousand dollars (\$15,000) given to Patient One as restitution for any harm he may have caused Patient One.

Section 2: ALLEGED VIOLATIONS

2.1 The violations alleged in paragraphs 1.2, 1.3, 1.7, 1.8, and 1.9 above constitute grounds for disciplinary action, pursuant to RCW 18.130.180(1), which defines unprofessional conduct as:

- (1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal

proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder or applicant of the crime described in the indictment or information, and of the person's violation of the statute on which it is based....;

2.2 The violations alleged in paragraphs 1.3, 1.6, 1.7, and 1.8 above constitute grounds for disciplinary action, pursuant to RCW 18.130.180(4), which defines unprofessional conduct as:

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed.

2.3 The violations alleged in paragraphs 1.2, 1.3, and 1.7 above constitute grounds for disciplinary action, pursuant to RCW 18.130.180(6), which defines unprofessional conduct as:

(6) The possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself.

2.4 The violations alleged in paragraphs 1.2, 1.3, 1.6, and 1.7 above constitute grounds for disciplinary action, pursuant to RCW 18.130.180(13), which defines unprofessional conduct as:

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession.

2.5 The violations alleged in paragraph 1.2 above constitute grounds for disciplinary action, pursuant to RCW 18.130.180(17), which defines unprofessional conduct as:

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended....

2.6 The violations alleged in paragraphs 2.1 through 2.5 above constitute grounds for the imposition of sanctions under RCW 18.130.160.

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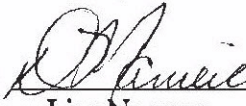
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Section 3: NOTICE TO RESPONDENT


The charges in this document affect the public health, safety and welfare. The Program Manager of the Commission directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline, pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

DATED this _____ day of _____, 2003.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

By: 
for Lisa Noonan
Program Manager

Presented by:


Michael S. Tribble, WSBA # 30508
Assistant Attorney General

FOR INTERNAL TRACKING PURPOSES:

Program No. 2002-12-0061MD & 2003-07-0057MD

CONFIDENTIAL SCHEDULE

STEVEN P. JEWITT, MD
Program Nos. 2002-12-0061MD and 2003-07-0057MD
Docket No. 03-08-A-1005MD

This Confidential Schedule is intended for use of the parties to clarify the factual circumstances surrounding the allegations of the Statement of Charges. The Confidential Schedule is to be released only to the parties, and as otherwise directed by the Medical Quality Assurance Commission during the administrative proceedings.

PATIENT NUMBER

PATIENT NAME

ONE





STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Steven P. Jewitt, MD
Docket No.: 03-08-A-1005MD
Document: First Amended Statement of Charges

Regarding your request for information about the above-named practitioner, 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:

The identity of the complainant if the person is a consumer, health care provider, or employee, pursuant to RCW 43.70.075 (Identity of Whistleblower Protected) and/or the identity of a patient, pursuant to RCW 70.02.020 (Medical Records - Health Care Information Access and Disclosure)

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FILED
NOV 18 2003
Adjudicative Clerk Office

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

In the Matter of the License to Practice)
As a Physician and Surgeon of:) **Docket No. 03-08-A-1005MD**
)
STEVEN P. JEWITT, MD) **FIRST AMENDED STATEMENT**
License No. MD00025449) **OF CHARGES**
)
_____)
Respondent.)

The Program Manager of the Medical Quality Assurance Commission (Commission), on designation by the Commission, makes the allegations below, which are supported by evidence contained in program case file Nos. 2002-12-0061MD and 2003-07-0057MD. Any patients referred to in this First Amended Statement of Charges are identified in an attached Confidential Schedule.

Section 1: ALLEGED FACTS

1.1 Steven P. Jewitt, MD, Respondent, was issued a license to practice medicine and surgery by the state of Washington on April 29, 1988.

1.2 Respondent plead guilty in US District Court, Western District of Washington (Court), to a single count of Knowingly and Intentionally Acquiring a Controlled Substance by Misrepresentation, Deception and Subterfuge, which was accepted by a federal judge on July 18, 2003. Sentencing of Respondent by the Court occurred on July 18, 2003 and included, among other conditions, placing Respondent on probation for a term of five (5) years; Respondent shall refrain from any unlawful use of a controlled substance; Respondent shall submit to one drug test within fifteen (15) days of placement on probation and at least two periodic drug tests thereafter; Respondent shall participate in a drug treatment program; Respondent shall pay restitution in the

amount of \$8,609.84; Respondent shall pay a fine of \$2,000, and Respondent shall participate in a home confinement program with electronic monitoring for a period of 180 days.

1.3 Respondent admitted to supplying nine (9) Veterans Administration (VA) patients, and four (4) private patients with prescriptions for controlled substances (primarily Hydrocodone and Oxycodone) that were filled by the patients and then given to Respondent for his own use. Respondent reimbursed the patients for any out-of-pocket expenses incurred by them and sometimes shared the drugs with them. Respondent did not make, or keep, any medical records for the four private patients he continued writing prescriptions for after his employment in 1997 by the VA.

1.4 [REDACTED]

1.5 The [REDACTED] Director reports that Respondent is currently in full compliance with his [REDACTED] contact, that Respondent is not currently impaired, and therefore that Respondent is able to practice medicine with reasonable safety.

1.6 Respondent first saw Patient One, [REDACTED] in 1995 with principal complaints of Panic Disorder and Post Traumatic Stress Disorder associated with a history of physical and sexual abuse. In 1997 Respondent closed his private practice and went to work for the VA, but continued to serve as Patient One's supplier of medications. Respondent did not make or keep any record of his prescriptions for Patient One.

1.7 Over a five (5) year period of time, from approximately 1997 through 2002, Respondent admitted to supplying Patient One with prescriptions for controlled substances (primarily Hydrocodone and Oxycodone) that were filled by Patient One and then given to

Respondent for his own use. For the first three (3) years, Respondent paid for the drugs; for the remaining two (2) years, Patient One paid, by co-pays and through her insurer, for the narcotic prescriptions. Respondent did not disclose the information regarding his private patients also supplying him with controlled substances to the federal investigators, the US District Court or either his criminal or current attorney until Patient One reported her involvement with Respondent to the Commission.

1.8 From 1997 through October 2002, Respondent continued to prescribe increasing doses of Xanax (alprazolam) for Patient One, who eventually became addicted, requiring detoxification and further treatment by other practitioners.

1.9 In May 2003, Respondent agreed to give to, and gave, Patient One eight thousand dollars (\$8,000), allegedly for Patient One's addiction treatment at [REDACTED]. Respondent also agreed to give to, and gave, Patient One an additional six thousand dollars (\$6,000), allegedly for the care of Patient One's husband during Patient One's absence for addiction treatment. Respondent also agreed to give to, and gave, Patient One an additional one thousand dollars (\$1,000) for a trip to [REDACTED] after Patient One completed her treatment. Respondent characterized the fifteen thousand dollars (\$15,000) given to Patient One as restitution for any harm he may have caused Patient One.

Section 2: ALLEGED VIOLATIONS

2.1 The violations alleged in paragraphs 1.2, 1.3, 1.7, 1.8, and 1.9 above constitute grounds for disciplinary action, pursuant to RCW 18.130.180(1), which defines unprofessional conduct as:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent

to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder or applicant of the crime described in the indictment or information, and of the person's violation of the statute on which it is based....;

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(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession.

2.5 The violations alleged in paragraph 1.2 above constitute grounds for disciplinary action, pursuant to RCW 18.130.180(17), which defines unprofessional conduct as:

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended....

2.6 The violations alleged in paragraphs 2.1 through 2.5 above constitute grounds for the imposition of sanctions under RCW 18.130.160.

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Section 3: NOTICE TO RESPONDENT

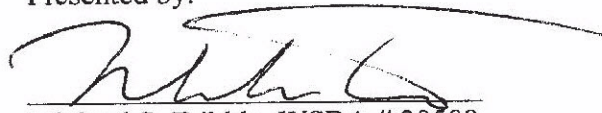
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DATED this 17th day of November, 2003.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

By: 
Lisa Noonan
Program Manager

Presented by:


Michael S. Tribble, WSBA # 30508
Assistant Attorney General

FOR INTERNAL TRACKING PURPOSES:

Program No. 2003-12-0061MD & 2003-07-0057MD

CONFIDENTIAL SCHEDULE

STEVEN P. JEWITT, MD
Program Nos. 2002-12-0061MD and 2003-07-0057MD
Docket No. 03-08-A-1005MD

This Confidential Schedule is intended for use of the parties to clarify the factual circumstances surrounding the allegations of the Statement of Charges. The Confidential Schedule is to be released only to the parties, and as otherwise directed by the Medical Quality Assurance Commission during the administrative proceedings.

PATIENT NUMBER

ONE

PATIENT NAME





STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Steven P. Jewitt, MD
Docket No.: 03-08-A-1005MD
Document: Final Order

Regarding your request for information about the above-named practitioner, 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.

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

In the Matter of the License to Practice)	
As a Physician and Surgeon of:)	
)	Docket No. 03-08-A-1005MD
STEVEN P. JEWITT, MD)	
License MD00025449)	STIPULATED FINDINGS OF FACT
)	CONCLUSIONS OF LAW AND
Respondent.)	AGREED ORDER
_____)		

The Medical Quality Assurance Commission (Commission), by and through Gerald D. Kelly, Staff Attorney, Department of Health, and Steven P. Jewitt, MD, Respondent, individually and by and through his counsel of record, Kathryn B. Barron, stipulate and agree to the following. (Reference Program Nos. 2002-12-0061MD and 2003-07-0057MD). Any patients referred to in this Stipulated Findings of Fact, Conclusions of Law and Agreed Order are identified in the Confidential Schedule, which is attached to the Statement of Charges in this matter.

Section 1: PROCEDURAL STIPULATIONS

1.1 Steven P. Jewitt, MD, was issued a license to practice medicine and surgery by the state of Washington on April 29, 1988.

1.2 On November 10, 2003, the Commission issued a Statement of Charges regarding the professional practice of Respondent. Due to an omission of the date on this initiating document, on November 17, 2003, the Commission issued a First Amended Statement of Charges regarding the professional practice of Respondent.

1.3 The First Amended Statement of Charges alleges that Respondent violated RCW 18.130.180(1), (4), (6), (13) and (17).

1.4 Respondent understands that the State is prepared to proceed to a hearing on the allegations in the First Amended Statement of Charges.

1.5 Respondent understands that he has the right to defend himself against the allegations in the First Amended Statement of Charges by presenting evidence at a hearing.

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1.6 Respondent understands that, should the State prove at the hearing the allegations in the First Amended Statement of Charges, the Commission has the power and authority to impose sanctions pursuant to RCW 18.130.160.

1.7 Respondent and the Commission agree to expedite the resolution of this matter by means of this Stipulated Findings of Fact, Conclusions of Law and Agreed Order (Agreed Order).

1.8 Respondent waives the opportunity for a hearing on the First Amended Statement of Charges contingent upon signature and acceptance of this Agreed Order by the Commission.

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

1.10 Should this Agreed Order be signed and accepted it will be subject to the reporting requirements of RCW 18.130.10, Section 1128E of the Social Security Act, and any applicable interstate/national reporting requirements.

1.11 Should this Agreed Order be rejected, Respondent waives any objection to the participation at hearing of all or some of the Commission members who heard the Agreed Order presentation.

Section 2: STIPULATED FACTS

The State and Respondent stipulate to the following facts:

2.1 Respondent does not contest that the following evidence in these stipulated facts would be presented at hearing and is sufficient to justify a finding of a violation of RCW 18.130.180(1), (4), (6), (13) and (17).

2.2 Steven P. Jewitt, MD, Respondent, was issued a license to practice medicine and surgery by the state of Washington on April 29, 1988.

2.3 Respondent plead guilty in US District Court, Western District of Washington (Court), to a single count of Knowingly and Intentionally Acquiring a Controlled Substance by Misrepresentation, Deception and Subterfuge, which was accepted by a federal judge on July 18, 2003. Sentencing of Respondent by the Court occurred on July 18, 2003 and included, among other conditions, placing Respondent on probation for a term of five (5) years; Respondent shall refrain from any unlawful use of a controlled substance; Respondent shall submit to one drug test within fifteen (15) days of placement on probation and at least two periodic drug tests thereafter; Respondent shall participate in a drug treatment program; Respondent shall pay restitution in the

amount of \$8,609.84; Respondent shall pay a fine of \$2,000, and Respondent shall participate in a home confinement program with electronic monitoring for a period of 180 days.

2.4 Respondent admitted to supplying nine (9) Veterans Administration (VA) patients, and four (4) private patients with prescriptions for controlled substances (primarily Hydrocodone, and in one case also Oxycodone) that were filled by the patients and then given to Respondent for his own use. Respondent reimbursed the patients for any out-of-pocket expenses incurred by them and sometimes shared the drugs with them. Respondent did not make, or keep, any medical records for the four private patients he continued writing prescriptions for after his employment in 1997 by the VA.

2.5

2.6 The [REDACTED] reports that Respondent is currently in full compliance with his [REDACTED] contact, that Respondent is not currently impaired, and therefore that Respondent is able to practice medicine with reasonable safety.

2.7 Respondent first saw Patient One, [REDACTED], in 1995 with principal complaints of Panic Disorder and Post Traumatic Stress Disorder associated with a history of physical and sexual abuse. In 1997 Respondent closed his private practice and went to work for the VA, but continued to serve as Patient One's supplier of medications. Respondent did not make or keep any record of his prescriptions for Patient One.

2.8 Over a five (5) year period of time, from approximately 1997 through 2002, Respondent admitted to supplying Patient One with prescriptions for controlled substances (primarily Hydrocodone) that were filled by Patient One and then given to Respondent for his own use. For the first three (3) years, Respondent paid for the drugs; for the remaining two (2) years, Patient One paid, by co-pays and through her insurer, for the narcotic prescriptions. Respondent failed to disclose to the Commission the information about his prescribing controlled substances to Patient One for his own use, it was only discovered when Patient One filed a complaint with the Commission.

2.9 From 1997 through October 2002, Respondent continued to prescribe increasing doses of Xanax (alprazolam) for Patient One, who eventually became addicted, requiring detoxification and further treatment by other practitioners.

2.10 In May 2003, Respondent agreed to give to, and gave, Patient One eight thousand dollars (\$8,000), allegedly for Patient One's addiction treatment at [REDACTED]. Respondent also agreed to give to, and gave, Patient One an additional six thousand dollars (\$6,000), allegedly for the care of Patient One's husband during Patient One's absence for addiction treatment. Respondent also agreed to give to, and gave, Patient One an additional one thousand dollars (\$1,000) for a trip to Hawaii, after Patient One completed her treatment. Respondent characterized the fifteen thousand dollars (\$15,000) given to Patient One as restitution for any harm he may have caused Patient One.

Section 3: CONCLUSIONS OF LAW

The State 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 The above facts in sections 2.3 through 2.10 constitute unprofessional conduct in violation of RCW 18.130.180(1), (4), (6), (13) and (17), which provide in part:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder or applicant of the crime described in the indictment or information, and of the person's violation of the statute on which it is based....

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed.

(6) The possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself.

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession.

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended....

3.3 The uncontested facts stipulated to in Section 2 above constitute grounds for a Stipulation and Agreed Order for suspension and probation and are grounds for the imposition of additional sanctions under RCW 18.130.160.

Section 4: AGREED ORDER

Based on the preceding Stipulated Findings of Fact and Conclusions of Law, Respondent agrees to entry of the following Order:

4.1 It is hereby ordered that Respondent's license to practice medicine and surgery in the state of Washington is suspended for a period of not less than five (5) years. Said suspension is stayed and Respondent is placed on probation providing that he complies, in all aspects, with the terms and conditions in the following paragraphs. Further, Respondent is hereby severely reprimanded for his conduct in using his patients to divert controlled substances for his own use, for his practice of prescribing medications to patients that were not appropriate and which were potentially harmful to the patients, and for failure to fully disclose this conduct to the Commission until a further complaint was filed.

4.2 PRESCRIBING RESTRICTIONS:

Respondent shall not prescribe any medications for himself. In Respondent's current employment with his current employer, Respondent may prescribe Schedule 4 drugs in emergent and medically necessary circumstances only. If Respondent changes employment, or works outside his current employment, he shall not prescribe any schedule drugs in an outpatient setting.

4.3 Respondent shall ensure that all care delivered to patients' falls within acceptable standards of medical practice and he shall create and keep a medical record for all patients treated and/or seen. At the beginning of each patient visit Respondent shall list all medications the patient is taking, noting the strength, dosage and frequency of use. Likewise under the "Plan" section of the chart entry Respondent shall record similar information for all medications continued, altered, recommended or newly prescribed. Should Respondent be employed outside his current employment, all of his patient medical records shall be dictated and professionally transcribed.

4.4

WPHP will supply the Commission, or its designee, with regular quarterly reports

regarding Respondent's compliance with their program. Respondent agrees to sign a waiver of confidentiality and release of information from WPHP to the Commission. In so doing, Respondent understands that should he fail to fully comply with all of the requirements of the WPHP contract, all information compiled by WPHP regarding his participation therein will be made available to the Commission. Respondent must successfully complete the full term of the WPHP contract before he may petition the Commission for any modifications to the Agreed Order and/or for the termination of the Agreed Order.

4.5 Respondent shall completely abstain from the use of alcoholic beverages and will not possess nor use controlled substances, analogues or prescription drugs unless Respondent's physician prescribes the same for legitimate therapeutic purposes.

4.6 The Commission expects and requires that Respondent will fully and faithfully comply with all terms and conditions of the Judgment in a Criminal Case entered against him by the U.S. District Court, Western District of Washington, on July 18, 2003, including all the terms and conditions of probation during the term of probation. If Respondent should not successfully complete the ordered probation in all respects, further action against Respondent's medical license may be taken.

4.7 During the term of this probation Respondent shall inform, by giving a copy of this Agreed Order, all current and future chiefs' of staff, medical directors' and administrators' of his current employer and each hospital, clinic, and every other medical facility, including surgery centers, located in the state of Washington in which Respondent practices or has privileges, of all provisions in this Order.

4.8 Respondent may petition the Commission for a change in the terms and conditions of this Agreed Order, **no sooner than five (5) years** from the date it is signed by the Commission.

4.9 Respondent may petition the Commission for termination of the Commission's oversight and monitoring of Respondent under this Agreed Order, **no sooner than five (5) years** from the date it is signed by the Commission

4.10 COMPLIANCE:

- a. Respondent shall appear before the Commission six months from the date this Agreed Order is signed by the Commission, or as soon thereafter as the Commission's schedule permits, and then six (6) months following the

first appearance, and then annually thereafter, and present proof that he is complying with the Agreed Order. He shall continue to make such compliance appearances annually or as soon thereafter as the Commission's schedule permits, until the suspension and probation is lifted by the Commission.

- b. While employed by his current employer, Respondent's supervising physician or administrator shall annually provide to the Commission a report attesting to Respondent's compliance with sections 4.2 and 4.3 of this Agreed Order. If, however, Respondent is employed in a setting outside of his current employment, in order to monitor compliance with the Agreed Order, Respondent agrees that a representative of the Commission may make announced or unannounced visits to Respondent's practice to:
 - (1) Inspect office and/or medical records, with a minimum of ten (10) patient records being reviewed.
 - (2) Interview office staff,
 - (3) Inspect accounting records and appointment records,
 - (4) Review other aspects of Respondent's practice.
- c. All costs of compliance shall be borne by the Respondent.
- d. If Respondent violates the terms/conditions of the Commission's Order in any respect the Commission may:
 - (1) Impose additional conditions as appropriate under RCW 18.130.160 to protect the public, following notice to the Respondent and the opportunity to be heard; and/or
 - (2) Issue charges of unprofessional conduct under RCW 18.130.

4.11 CONTINUING MEDICAL EDUCATION (CME):

Pursuant to RCW 18.130.160(4), Respondent shall complete, during the first two years of probation, the course entitled "Maintaining Proper Boundaries," that is presented by The Center for Professional Health at Vanderbilt University Medical Center located in Nashville, TN., or the ProBe weekend course held in Summit, New Jersey, or a comparable course, approved by the Commission or its' designee, in the area of medical ethics and patient boundary issues. Said CME course hours shall be in addition to the CME course hours required for licensure and shall

be completed within twenty four (24) months of the date of entry of this Agreed Order.
Respondent shall pay for all costs associated with this provision.

Proof of completion shall be submitted to the following address:

Compliance Officer
Medical Quality Assurance Commission
PO Box 47866
Olympia, WA 08504-7866

4.12 Respondent shall perform one hundred (100) hours of non-medical, voluntary service in a substance abuse recovery support program, or other appropriate, public supported, institution or entity, previously approved by the Commission or its designee. Upon completion of the required hours, said community service hours shall be verified in writing by the director of the program or facility. The required hours shall be completed within two (2) years of the effective date of this Agreed Order.

4.13 Pursuant to RCW 18.130.160(8), Respondent shall pay a fine of Fifteen Thousand Dollars (\$15,000) within thirty six (36) months of the effective date of this Order. The fine assessed herein shall be payable to the State Treasurer and sent to the address shown below:

Accounting Department
Medical Commission
Department of Health
PO Box 1099
Olympia, WA 98507-1099

4.14 RESIDENCE:

- a. Respondent shall inform the Commission, and the Adjudicative Clerk Office, in writing, of any changes in his practice or his residence.
- b. In the event Respondent leaves the state of Washington to reside or to practice outside the state of Washington, Respondent must notify the Commission in writing of the dates of departure and return.
- c. The period of suspension/probation shall be tolled for any time period during which Respondent resides and/or practices outside the state of Washington.

4.15 Based upon its review of Respondent's compliance with the terms of probation, the Commission may change the conditions of probation, and/or may impose additional conditions, and/or may extend the term of probation at any time during the period of probation, as necessary to protect the public.

4.16 Respondent shall obey all federal, state and local laws and all rules governing the practice of medicine in Washington.

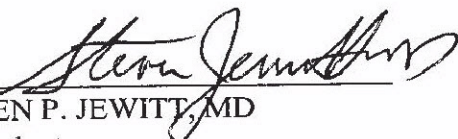
4.17 Respondent may file a written petition for termination of the Commission's oversight and monitoring of him pursuant to this Agreed Order, **no sooner than five (5) years** from the date this Agreed Order is accepted by the Commission. If the Commission so requests, Respondent must appear personally before the Commission. Termination of the Commission's oversight and monitoring shall be by written order of the Commission.

4.18 This Stipulation and Agreed Order will be subject to the reporting requirements of RCW 18.130.110, and any applicable interstate/national reporting requirements.

4.19 This Stipulation and Agreed Order is not binding on Respondent or the Commission unless accepted by the Commission.

4.20 This Stipulation and Agreed Order shall become effective ten (10) days from the date the Order is signed by the Commission chair, or upon service of the Order on the Respondent, whichever date is sooner.


I, Steven P. Jewitt, MD, hereby declare, under penalty of perjury and under the laws of the state of Washington, that I have read this Stipulation and Agreement in its entirety, that my counsel of record has fully explained the legal significance and consequence of it; that I fully understand and agree to all of the same, and in witness whereof I affix my signature this 21st day of February, 2004.



STEVEN P. JEWITT, MD
Respondent

2/21/04

Date



Kathryn B. Barron WSB#21847
Attorney for Respondent

2-23-04

Date

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Section 5: Order

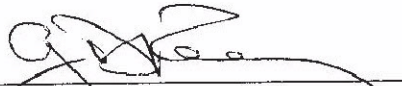
The Commission accepts and enters this Stipulated Findings of Fact, Conclusions of Law and Agreed Order.

DATED this 26th day of February, 2004.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

By James R. Cook MD
PANEL CHAIR

PRESENTED BY:


Gerald D. Kelly, WSBA# 5427
Staff Attorney
Department of Health

FOR INTERNAL USE ONLY:

Program Nos. 2002-12-0061MD & 2003-07-0057MD



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Steven P. Jewitt, M.D.
Master Case No.: 2003-57289
Docket No.: 03-08-A-1005MD
Document: Order of Release

Regarding your request for information about the above-named practitioner, 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 Deputy Secretary, 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:)

STEVEN P. JEWITT, M.D.,)
License No. MD00025449,)

Respondent.)

Docket No. 03-08-A-1005MD
Master Case No. M2003-57289.

**ORDER ON REQUEST FOR
TERMINATION OF COMMISSION
ORDER**

APPEARANCES:

Respondent, Steven P. Jewitt, M.D., pro se

Department of Health Medical Program, by
Peter Harris, Staff Attorney

PANEL: Judith Tobin, Public Member, Panel Chair
Richard Brantner, M.D.
Leslie M. Burger, M.D.
Athalia Clower, PA-C
Bruce Cullen, M.D.
Theresa Elders, Public Member

PRESIDING OFFICER: Laura Farris, Senior Health Law Judge

The Medical Quality Assurance Commission (Commission) convened a hearing on April 11, 2008, in Seattle, Washington. The license of the Respondent is reinstated in full.

PROCEDURAL HISTORY

On February 25, 2008, the Respondent filed a request for early release from his agreed order and reinstatement of his license. On April 2, 2008, the Adjudicative

**ORDER ON REQUEST FOR
TERMINATION OF COMMISSION
ORDER**

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Docket No. 03-08-A-1005MD
Master Case No. M2003-57289

Service Unit issued a Notice of Modification/Reinstatement Hearing. This set the hearing for April 11, 2008.

SUMMARY OF THE PROCEEDING

The Respondent presented testimony on his own behalf and did not submit any exhibits. The Department did not present any testimony at the hearing. The Reviewing Commission member did not participate in the deliberations. The following Department exhibits were admitted:

- D-1: Compliance Requirement Summary dated March 13, 2008.
- D-2: Statement of Charges dated November 3, 2003.
- D-3: First Amended Statement of Charges dated November 17, 2003.
- D-4: Stipulated Findings of Fact, Conclusions of Law and Agreed Order dated February 26, 2004.
- D-5: In compliance letters dated October 8, 2004; October 7, 2005; July 14, 2006; and June 1, 2007.
- D-6: Petition for Release and follow up correspondence dated January 4, 2008 and February 25, 2008.
- D-7: Letter from WPHP releasing the Respondent from the Program dated February 7, 2008.
- D-8: Compliance Report from Albert Farres, Ph.D., DOC, dated January 22, 2008.
- D-9: Letters in support of Dr. Jewitt's reinstatement dated January 7, 2008; January 8, 2008; January 11, 2008; January 16, 2008; January 22, 2008; January 31, 2008; February 1, 2008; and February 6, 2008.

D-10: Letter from Steven Jewitt, M.D. dated March 10, 2008.

D-11: Notice of Appearance & Declaration of Service dated February 29, 2008.

Based on the consideration of the evidence at the hearing, and the files and records herein, the Commission issues the following:

I. FINDINGS OF FACT

1.1 The Respondent is licensed as a physician in the state of Washington. His specialty is psychiatry.

1.2 The Commission issued a Stipulated Findings of Fact, Conclusions of Law and Agreed Order dated February 26, 2004 (the 2004 Agreed Order). Under the terms and conditions of the 2004 Agreed Order, the Commission found the Respondent committed unprofessional conduct by supplying 11 patients with prescriptions for controlled substances that the patients then gave to the Respondent for his own use. He also over prescribed Xanax for one patient. Under the terms and conditions of the 2004 Agreed Order, the Commission set forth many conditions, including a five-year stayed suspension with no right to seek early modification. The conditions for staying the suspension involved Washington Physicians Health Program (WPHP) monitoring.

1.3 The Respondent requested early release from the 2004 Agreed Order.

1.4 WPHP reported that the Respondent successfully completed his contract with WPHP.

1.5 The Respondent has also complied with the other conditions of the 2004 Agreed Order.

1.6 The Respondent serves the people of the State of Washington by treating the inmates at the Special Offender Unit at Monroe Correctional Facility in Monroe, Washington. The WHPS' recommendation, letters of support from his coworkers, supervisor, and AA sponsor and Respondent's testimony evidence an active recovery program from the disease of chemical dependency.

II. CONCLUSIONS OF LAW

2.1 The Commission has jurisdiction over the Respondent and this subject matter. Chapter 18.130 RCW

2.2 RCW 18.130.160 permits the Commission to fashion appropriate remedies in disciplining the Respondent. This includes restrictions or limitations on the Respondent's practice.


2.3 Based upon the above Findings of Fact, the Commission concludes the Respondent's remarkable record supports the unusual step of early reinstatement.

III. ORDER

Based on the foregoing Procedural History, Summary of the Proceeding, Findings of Fact, and Conclusions of Law, the Respondent's request for the termination

of the 2004 Agreed Order is GRANTED. The Respondent's license to practice is fully reinstated.

Dated this 29 day of April, 2008.


JUDITH TOBIN, Panel Chair

FOR INTERNAL USE ONLY: (Internal tracking numbers)
Program Nos. 2002-12-0061 & 2003-07-0057

NOTICE TO PARTIES

This order is subject to the reporting requirements of RCW 18.130.110, Section 1128E of the Social Security Act, and any other applicable interstate/national reporting requirements. If adverse action is taken, it must be reported to the Healthcare Integrity Protection Data Bank.

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

Adjudicative Service Unit
P.O. Box 47879
Olympia, WA 98504-7879

and a copy must be sent to:

Department of Health Medical Program
P.O. 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 20 days after the petition is filed if the Adjudicative Service Unit has not responded to the petition or served written notice of the date by which action will be taken on the petition.

ORDER ON REQUEST FOR
TERMINATION OF COMMISSION
ORDER

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Docket No. 03-08-A-1005MD
Master Case No. M2003-57289

A petition for judicial review must be filed and served within 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 30-day period will begin to run upon the resolution of that petition. RCW 34.05.470(3).

This 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 Service Unit. 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).

ORDER ON REQUEST FOR
TERMINATION OF COMMISSION
ORDER

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Docket No. 03-08-A-1005MD
Master Case No. M2003-57289