



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
Olympia, Washington 98504

RE: Timothy W. Keller, MD  
Docket No.: 06-02-A-1038MD  
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:

Information regarding an individual's health care, including where they received health care services, their medical condition, care provided, etc., pursuant to RCW 42.56.360 (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:

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

FILED  
SEP 07 2007  
Adjudicative Clerk Office

In the Matter of

TIMOTHY W. KELLER, MD  
Credential No. MD00018791

Respondent

Docket No. 06-02-A-1038MD

STATEMENT OF CHARGES

The Health Services Consultant, on designation by the Medical Quality Assurance Commission (Commission) makes the allegations below, which are supported by the evidence contained in program file number 2005-03-0131MD.

**1. ALLEGED FACTS**

1.1 In November 1980, Respondent Timothy Keller, MD, was issued a license to practice as a physician and surgeon in the state of Washington. Respondent's credential is currently active.

1.2 In or about 1999, Respondent

1.3 On June 8, 2004,

1.4

Respondent is not enrolled in the Commission's approved substance abuse monitoring program.

ORIGINAL

**2. ALLEGED VIOLATIONS**

2.1 Based on the Alleged Facts, Respondent is unable to practice as a physician and surgeon with reasonable skill and safety by reason of a physical or mental condition in violation of RCW 18.130.170(1), which provides:

**RCW 18.130.170 Capacity of license holder to practice--Hearing--Mental or physical examination--Implied consent.**

(1) If the disciplinary authority believes a license holder or applicant may be unable to practice with reasonable skill and safety to consumers by reason of any mental or physical condition, a statement of charges in the name of the disciplining authority shall be served on the license holder or applicant and notice shall also be issued providing an opportunity for a hearing. The hearing shall be limited to the sole issue of the capacity of the license holder or applicant to practice with reasonable skill and safety. If the disciplining authority determines that the license holder or applicant is unable to practice with reasonable skill and safety for one of the reasons stated in this subsection, the disciplining authority shall impose such sanctions under RCW 18.130.160 as is deemed necessary to protect the public.

....

2.2 The above violation provides grounds for imposing sanctions under RCW 18.130.160.

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### 3. NOTICE TO RESPONDENT

The charges in this document affect the public health, safety and welfare. The Health Services Consultant 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 and the imposition of sanctions under Chapter 18.130 RCW.

DATED: September 6, 2007.

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
MEDICAL QUALITY ASSURANCE  
COMMISSION

  
ERIN OBENLAND  
HEALTH SERVICES CONSULTANT

  
KIM O'NEAL, WSBA# 12939  
ASSISTANT ATTORNEY GENERAL

FOR INTERNAL USE ONLY:

PROGRAM NO. 2005-03-0131MD



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
Olympia, Washington 98504

RE: Timothy W. Keller, MD  
Master Case No. M2006-56925  
Docket No.: 06-02-A-1038MD  
Document: Stipulated Findings of Fact, Conclusions of Law and Agreed  
Order for License Surrender

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:

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

In the Matter of

**TIMOTHY W. KELLER, MD**  
Credential No. MD00018791

Respondent.

**Docket No. 06-02-A-1038MD**

**STIPULATED FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND  
AGREED ORDER FOR LICENSE  
SURRENDER**

The Medical Quality Assurance Commission (Commission), through Michael J. Weisman, Department of Health Staff Attorney, and Respondent, represented by counsel, Gerald R. Tarutis, stipulate and agree to the following:

**1. PROCEDURAL STIPULATIONS**

- 1.1 On September 6, 2007, the Commission issued a Statement of Charges against Respondent.
- 1.2 In the Statement of Charges, the Commission alleges that Respondent violated RCW 18.130.170.
- 1.3 Respondent understands that the State is prepared to proceed to a hearing on the allegations in the Statement of Charges.
- 1.4 Respondent understands that if the allegations are proven at a hearing, the Commission has the authority to impose sanctions pursuant to RCW 18.130.160.
- 1.5 Respondent has the right to defend against the allegations in the Statement of Charges by presenting evidence at a hearing.
- 1.6 Respondent waives the opportunity for a hearing on the Statement of Charges provided that the Commission accepts this Stipulated Findings of Fact, Conclusions of Law and Agreed Order. (Agreed Order)
- 1.7 The parties agree to resolve this matter by means of this Agreed Order.
- 1.8 Respondent understands that this Agreed Order is not binding

unless and until it is signed and accepted by the Commission.

1.9 If the Commission accepts this Agreed Order, it is subject to the federal reporting requirements pursuant to Section 11 28E of the Social Security Act and 45 CFR Part 61, RCW 18.130.110 and any other applicable interstate/national reporting requirements. It is a public document and will be available on the Department of Health web site.

1.10 If the Commission rejects this Agreed Order, Respondent waives any objection to the participation at hearing of any Commission members who heard the Agreed Order presentation.

## 2. FINDINGS OF FACT

Respondent and the Program stipulate to the following facts:

2.1 In November 1980, Respondent Timothy Keller, MD, was issued a credential to practice as a physician and surgeon in the state of Washington. Respondent's credential is currently active.

2.2 In or about 1999, Respondent   


2.3 

2.4 Respondent   


2005. Respondent is not currently enrolled in the Commission's approved substance abuse monitoring program.

2.5 Respondent desires to retire from the practice of medicine due to his

age. Respondent does not wish to contest these proceedings given his pending retirement. The Commission is willing to allow Respondent to do so on the condition that he formally surrenders his medical license.

### **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 Respondent has committed unprofessional conduct in violation of RCW 18.130.170.

3.3 The above violations provide grounds for imposing sanctions to allow for the entry of an order providing for the surrender of a medical license under RCW 18.130.160.

### **4. AGREED ORDER**

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

4.1 The Respondent's license to practice medicine is **SURRENDERED, effective March 15, 2008**. Surrender is permanent and irrevocable. Respondent will return his wallet card and wall certificate to the Department of Health by mail. Respondent understands that prescribing drugs or treating patients after the effective date of the license surrender constitutes unlicensed practice of medicine and may result in civil or criminal charges. Respondent agrees that he will cease practice and not return to practice, including on an emergency or volunteer basis in the state of Washington or in any other State or Province. Respondent also agrees that he will not apply for a license to practice medicine in any other State or Province.

4.2 Respondent is responsible for all costs of complying with this Agreed Order.

4.3 If Respondent violates any provision of this Agreed Order in any respect,



the Commission may take further action against Respondent's credential.

4.4 The effective date of this Agreed Order is the date the Adjudicative Service Unit places the signed Agreed Order into the U.S. mail. If required, Respondent shall not submit any fees or compliance documents until after the effective date of this Agreed Order.

#### 5. ACCEPTANCE

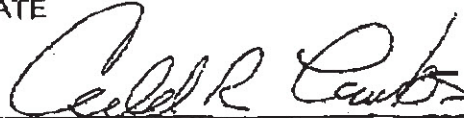
I, Timothy W. Keller, MD, Respondent, have read, understand and agree to this Agreed Order. This Agreed Order may be presented to the Commission without my appearance. I understand that I will receive a signed copy if the Commission accepts this Agreed Order.



TIMOTHY W. KELLER, MD  
RESPONDENT

2-7-08

DATE



GERALD R. TARUTIS, WSBA #4599  
ATTORNEY FOR RESPONDENT

DATE

6. ORDER

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

DATED: Feb 28, 2008

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
MEDICAL QUALITY ASSURANCE  
COMMISSION.

Judith Tobin  
PANEL CHAIR

PRESENTED BY:

Michael J. Weisman  
MICHAEL WEISMAN, WSBA #17758  
DEPARTMENT OF HEALTH STAFF ATTORNEY

2/28/08  
DATE

FOR INTERNAL USE ONLY:

PROGRAM NO. 2005-03-0131MD

STIPULATED FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND AGREED ORDER  
FOR LICENSE SURRENDER  
Docket No. 06-02-A-1038MD

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