BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:	)	
Gayatri Putta Reddy, M.D.	)	**Case No. 800-2018-040699**
Physician's and Surgeon's Certificate No. A 55880	)	
Respondent	)	

DECISION

The attached Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 10, 2019.

IT IS SO ORDERED April 12, 2019.

MEDICAL BOARD OF CALIFORNIA

By: Kristina Lawson

Kristina D. Lawson, J.D., Chair
Panel B

XAVIER BECERRA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General
JOSHUA M. TEMPLET
Deputy Attorney General
State Bar No. 267098
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3533
Facsimile: (415) 703-5480
Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **GAYATRI PUTTA REDDY, M.D.** **Group Health Oncology** **201 16th Avenue E** **Seattle, WA 98112** **Physician's and Surgeon's Certificate** **No. A 55880** Respondent.	Case No. 800-2018-040699 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER FOR PUBLIC REPRIMAND**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board of California (Board). She brought this action solely in her official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, via Joshua M. Templet, Deputy Attorney General.

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2. On March 27, 1996, the Board issued Physician's and Surgeon's Certificate No. A 55880 to Gayatri Putta Reddy, M.D. (Respondent). The Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2018-040699 (Accusation) and will expire on February 29, 2020, unless renewed. Respondent is represented in this proceeding by attorney Thomas E. Still, 12901 Saratoga Ave., Saratoga, CA 95070-9988.

JURISDICTION

3. Complainant filed the Accusation with the Board, and it is currently pending against Respondent. Complaint served Respondent with the Accusation and all other statutorily required documents, on September 12, 2018. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of the Accusation is attached as **Exhibit A** and is incorporated herein.

ADVISEMENT AND WAIVERS

4. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order for Public Reprimand.

5. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

6. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

7. Respondent understands and agrees that the charges and allegations in the Accusation, if proven at a hearing, constitute cause for disciplining his Physician's and Surgeon's Certificate.

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8. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and Respondent hereby gives up his right to contest those charges.

9. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and Board staff may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order for Public Reprimand shall be of no force or effect (except for this paragraph), it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order for Public Reprimand, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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DISCIPLINARY ORDER

Public Reprimand

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 55880, issued to Respondent Gayatri Putta Reddy, M.D., is hereby publicly reprimanded pursuant to Business and Professions Code, section 2227. This Public Reprimand is issued as a result of the following conduct by Respondent as set forth in Accusation No. 800-2018-040699:

> The Washington Medical Quality Assurance Commission found that, while covering for a patient's regular oncologist, Respondent failed to review blood test results prior to approving the patient to continue chemotherapy treatment. The blood test results strongly suggested liver dysfunction. As a result, the Washington Commission issued a Statement of Allegations against Respondent, which Respondent and the Commission resolved by entering into a Stipulation to Informal Disposition.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reprimand and have fully discussed it with my attorney, Thomas E. Still. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 2/13/19.

Gayatri P. Reddy

GAYATRI PUTTA REDDY, M.D.
Respondent

I have read and fully discussed with Respondent Gayatri Putta Reddy, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Reprimand. I approve its form and content.

DATED: 2-15-19

THOMAS E. STILL
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby respectfully submitted for consideration by the Medical Board of California.

Dated: 2/19/2019

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General

JOSHUA M. TEMPLET
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2018-040699

XAVIER BECERRA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General
JOSHUA M. TEMPLET
Deputy Attorney General
State Bar No. 267098
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3533
Facsimile: (415) 703-5480
E-mail: Joshua.Templet@doj.ca.gov
Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Sept 12 2018
BY D. Richards ANALYST

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:	Case No. 800-2018-040699
Gayatri Putta Reddy, M.D. **Group Health Oncology** **201 16th Avenue E** **Seattle, WA 98112** **Physician's and Surgeon's Certificate No. A 55880,** Respondent.	**ACCUSATION**

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On March 27, 1996, the Board issued Physician's and Surgeon's Certificate Number A 55880 to Gayatri Putta Reddy, M.D. (Respondent). The certificate was in full force and effect at all times relevant to the charges brought herein and will expire on February 29, 2020, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2004 of the Code provides that the Board shall have the responsibility for the enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

5. Section 2227 of the Code authorizes the Board to take action against a licensee who has been found guilty under the Medical Practice Act by revoking his or her license, suspending the license for a period not to exceed one year, placing the license on probation and requiring payment of costs of probation monitoring, or taking such other action as the Board deems proper.

6. Section 141 of the Code states as follows:

> (a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.
>
> (b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country.

7. Section 2305 of the Code states as follows:

> The revocation, suspension, or other discipline, restriction, or limitation imposed by another state upon a license or certificate to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California of a licensee under this chapter, shall constitute grounds for disciplinary action for unprofessional conduct against the licensee in this state.

WASHINGTON STATUTE IN UNDERLYING OUT-OF-STATE DISCIPLINARY MATTER

8. Revised Code of Washington, section 18.13.180, subdivision (4), states as follows:

> 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;

CAUSE FOR DISCIPLINE

(Discipline, Restriction, or Limitation Imposed by another State)

9. On January 18, 2018, the State of Washington Medical Quality Assurance Commission ("Washington Commission") and Respondent entered into a Stipulation to Informal Disposition, attached and incorporated as Exhibit A. According to the Stipulation to Informal Disposition, the Washington Commission found that:

> Respondent failed to review blood tests prior to approving Patient A to receive chemotherapy treatment. Patient A subsequently developed strep anginosus bacteremia and hepatic and cerebral abscesses. Regardless of whether the additional round of chemotherapy caused these issues, at a minimum it made the diagnosis more difficult and may have likely prolonged Patient A's ultimately successful recovery.

10. The Washington Commission alleges that Respondent's conduct, if proven, would constitute a violation of the Revised Code of Washington, section 18.130.180(4) (incompetence, negligence, or malpractice which results in patient injury).

11. The Stipulation to Informal Disposition imposed restrictions, limitations, and disciplinary action on Respondent's practice of medicine in Washington, including, *inter alia*, requiring the following of Respondent: (i) attendance of a "compliance orientation"; (ii) making required personal appearances before the Washington Commission; (iii) authoring a paper for approval by the Washington Commission "discussing the rationale of blood test monitoring and the importance of reviewing all laboratory tests that have been ordered"; (iv) providing peer education; and (v) payment of $1,500 in cost recovery. The Stipulation to Informal Disposition provides that "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."

12. Respondent's conduct and the action of the Washington Commission as set forth above are substantially related to the practice of medicine and constitute unprofessional conduct within the meaning of Code section 2305 and conduct subject to discipline within the meaning of Code section 141(a).

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 55880, issued to Respondent;

2. Revoking, suspending or denying approval of Respondent's authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent, if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED:
September 12, 2018

KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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EXHIBIT A

STATE OF WASHINGTON
MEDICAL QUALITY ASSURANCE COMMISSION

In the Matter of the License to Practice as a Physician and Surgeon of:	No. M2017-1030
GAYATRI P. REDDY, MD License No. MD60025242 Respondent.	STIPULATION TO INFORMAL DISPOSITION

Pursuant to the Uniform Disciplinary Act, Chapter 18.130 RCW, the Medical Quality Assurance 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 September 17, 2008, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent is board certified in internal medicine. Respondent's license is currently active.

1.2 In February 2015, Patient A was diagnosed with breast cancer. A left partial mastectomy on April 9, 2015 was performed. A pathology report confirmed invasive ductal carcinoma with associated ductal carcinoma in situ.

1.3 Under the care of a hematologist/oncologist, on or about May 1, 2015, Patient underwent the first of four scheduled cycles of chemotherapy treatments with docetaxel and cyclophosphamide.

1.4 Patient A was scheduled for a second round of chemotherapy on May 21, 2015. One day prior to that treatment, Patient A's oncology provider ordered several blood panels to be drawn. The results are below in the first column with standard ranges indicated in the second column:

Component	Patient A value	Reference range
White blood cell count	33.4 K/uL	4.0-10.7 K/uL
Platelet count	888 10*3/uL	140-450 10*3/uL
Absolute neutrophils	28.4 K/uL	2.00-7.30 K/uL
Bilirubin, total	4.5 MG/DL	0.2-1.1 MG/DL
Aspartate transaminase	40 U/L	6-35 U/L
Alkaline phosphatase	317 U/L	30-125 U/L

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Patient A's blood test results strongly suggested hepatic dysfunction. Patient A's oncologist reviewed her elevated white blood cell count and platelet count and approved Patient A to continue with the second cycle of chemotherapy. There is no indication in Patient A's treatment records that Patient A's oncologist reviewed the elevated hepatic function values.

1.5 On the day of treatment, Respondent provided coverage for Patient A's oncologist. Respondent examined Patient A and reviewed the blood tests from May 20, 2017. There are no indications in Patient A's treatment record that Respondent reviewed the test results related to liver function. In the response to the Commission's investigator dated July 14, 2017, Respondent indicated that she "did not see [Patient A's] other results, including her bilirubin level."

2. STIPULATION

2.1 The Commission alleges that the conduct described above, if proven, would constitute a violation of RCW 18.130.180(4).

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 forego further disciplinary proceedings concerning the allegations.

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

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 **Compliance Orientation.** Respondent shall complete a compliance orientation in person or by telephone within **sixty (60) days** of the effective date of this Stipulation. Respondent must contact the Compliance Unit at the Commission by calling (360) 236-2763, or by sending an email to: Medical.compliance@doh.wa.gov within **twenty (20) days** of the effective date of this Stipulation. Respondent must provide a contact phone number where Respondent can be reached for scheduling purposes.

3.2 **Personal Appearances.** Respondent must personally appear at a date and location determined by the Commission in approximately **nine (9) months** after the effective date of this Stipulation, or as soon thereafter as the Commission's schedule permits. Thereafter, Respondent must make personal appearances annually or as frequently as the Commission requires unless the Commission waives the need for an appearance. Respondent must participate in a brief telephone call with the Commission's Compliance Unit prior to the appearance. The purpose of appearances is to provide meaningful oversight over Respondent's compliance with the requirements of this Stipulation. The Commission will provide reasonable notice of all scheduled appearances.

3.3 **Paper.** Respondent shall submit a typewritten paper for Commission approval discussing the rationale of blood test monitoring and the importance of reviewing all laboratory tests that have been ordered. If the Commission or its designee determines the content of the paper is not sufficient, then written feedback shall be provided to the Respondent and Respondent shall re-submit the paper for approval. Additionally, Respondent shall detail modifications she has made to her practice to prevent a reoccurrence of the events described in Section 1. The paper must be a

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minimum of one thousand (1,000) words and contain a bibliography. The paper must be completed and submitted within **three (3) months** of the effective date of this Stipulation. Respondent should be prepared to discuss the subject matter of his paper with the Commission at her first personal appearance. The paper shall be submitted to the Commission, in both electronic and printed format, to the addresses below:

1. Medical.compliance@doh.wa.gov
2. Compliance Officer
   Medical Quality Assurance Commission
   P.O. Box 47866
   Olympia, Washington 98504-7866

3.4 **Peer education.** Within six (6) months commencing on the effective date of this Stipulation, Respondent shall present a lecture to the physicians and physician assistants employed at her practice location. The syllabus shall be pre-approved by the Commission or its designee and at a minimum shall include discussion of:

1. ASCO and NCCN Guidelines for determining adequate hematological values for administering cytotoxic chemotherapy; and
2. ASCO's Quality Oncology Practice Initiative (QOPI) protocols to ensure patient laboratory test results are reviewed by the attending physician prior to chemotherapy.

Respondent shall provide the Commission with a sign-in sheet or other appropriate documentation that confirms that Respondent has conducted the lecture to her fellow healthcare professionals.

3.5 **Cost Recovery.** Respondent must pay one thousand five hundred dollars ($1,500) to the Commission as partial reimbursement of some of the costs of investigating and processing this matter. Payment must be by certified or cashier's check made payable to the Department of Health and must be received within **six (6) months** of the effective date of this Stipulation. Respondent must send payment to:

Medical Quality Assurance Commission
Department of Health
P.O. Box 1099
Olympia, Washington 98504-7866

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3.6 **Obey Laws.** Respondent must obey all federal, state and local laws and all administrative rules governing the practice of the profession in Washington.

3.7 **Costs.** Respondent must assume all costs that Respondent incurs in complying with this Stipulation.

3.8 **Violations.** If Respondent violates any provision of this Stipulation in any respect, the Commission may initiate further action against Respondent's license.

3.9 **Change of Address.** Respondent must inform the Commission and the Adjudicative Clerk Office in writing of changes in her residential and/or business address within thirty (30) days of such change.

3.10 **Effective Date.** The effective date of this Stipulation is the date the Adjudicative Clerk Office places the signed Stipulation into the U.S. mail. If required, Respondent shall not submit any fees or compliance documents until after the effective date of this Stipulation.

3.11 **Termination of Stipulation.** Respondent may petition the Commission in writing to terminate this Stipulation in conjunction with her initial personal appearance agreed to under Paragraph 3.2. Otherwise, upon a written petition to terminate, Respondent shall appear in person before the Commission at a date and location designated by the Commission unless otherwise waived by the Commission. An appearance on a petition to terminate may be combined with a required personal appearance. The Commission shall have full discretion to grant or deny the petition. If the Commission denies the petition, Respondent may petition again annually or at an interval otherwise determined by the Commission.

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. Tier B of the "Practice Below Standard of Care" schedule, WAC 246-16-810, applies to cases where substandard practices caused moderate patient harm or risk of moderate to severe patient harm. Here, Respondent failed to review blood tests prior to approving Patient A to receive chemotherapy treatment. Patient A subsequently developed strep anginosus bacteremia and hepatic and cereberal abcesses. Regardless of whether the additional round of chemotherapy caused these issues, at a

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minimum, it made the diagnosis more difficult and may have likely prolonged Patient A's ultimately successful recovery.

4.2 Tier B requires the imposition of sanctions ranging from two to five years three years of oversight. Under WAC 246-16-800(3)(d), the starting point for the duration of the sanctions is the middle of the range. The Commission uses aggravating and mitigating factors to move towards the maximum or minimum ends of the range.

4.3 While the ultimate duration of this Stipulation is undetermined – giving the Commission the discretion to lengthen the period of oversight if protection of public health and safety requires – it may be terminated as soon as Respondent makes her first personal appearance agreed to under Paragraph 3.2. That would potentially place the duration at the shorter end of the range. Regarding mitigating factors, the Commission noted that Respondent cooperated with the investigation, has no prior disciplinary history with the Commission and demonstrated full admission to key facts in the medical record. Additionally, the Commission noted the failure to note and address Patient A's abnormal test results was shared by at least two other healthcare providers. Finally, the Commission noted the facility where Respondent was practicing did not have an appropriate protocol in place to flag results like Patient A's. These mitigating factors warrant a possibly shorter period of oversight. The Commission noted no aggravating factors.

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5. RESPONDENT'S ACCEPTANCE.

I, GAYATRI P. REDDY, MD, Respondent, certify that I have read this Stipulation in its entirety; that my counsel of record, BRUCE W. MEGARD and AMY J. DELISA, have 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.

GAYATRI P. REDDY, MD RESPONDENT	12/27/17 DATE
BRUCE W. MEGARD, WSBA NO. 27560 ATTORNEY FOR RESPONDENT	12/28/17 DATE
for AMY J. DELISA, WSBA NO. 37163 #27560 ATTORNEY FOR RESPONDENT	12/28/17 DATE

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6. COMMISSION'S ACCEPTANCE

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

DATED: Jan. 18, ~~2017~~. 2018

STATE OF WASHINGTON
MEDICAL QUALITY ASSURANCE COMMISSION

PANEL CHAIR

PRESENTED BY:

KYLE KARINEN, WSBA NO. 34910
COMMISSION STAFF ATTORNEY

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