



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Verner Stillner, MD
Master Case No.: M2020-552
Document: Waiver Order

Regarding your request for information about the above-named practitioner; attached is a true and correct copy of the document on file with the State of Washington, Department of Health, Adjudicative Clerk Office. These records are considered Certified by the Department of Health.

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 Privacy Officer, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

**STATE OF WASHINGTON
WASHINGTON MEDICAL COMMISSION**

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

VERNER STILLNER, MD
License No. MD.MD.60096393

Respondent

No. M2020-552

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
FINAL ORDER (Waiver of
Hearing)**

This matter comes before the Washington Medical Commission (Commission) for final order. A panel of Commission Members was convened to decide the case. The members on the panel were: Sarah Lyle, MD, John Maldon, Public Member, Alden Roberts, MD, and Yanling Yu, PhD, Public Member.

The record on review consists of the Declaration of Staff Attorney Kyle Karinen Regarding Waiver of Hearing with attached exhibits A through D.

Based on the record, the Commission now enters the following:

1. FINDINGS OF FACT

1.1 On September 15, 2015, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent's license is currently summarily suspended.

1.2 On or about October 3, 2018, Respondent entered into a Consent Order with the Alaska State Medical Board requiring Respondent to pay a fine and finish his required Continuing Medical Education.

1.3 On October 11, 2019, the Respondent surrendered his license to practice as a physician and surgeon in the state of Alaska to the Alaska State Medical Board in lieu of complying with the Consent Order.

1.4 On or about November 7, 2019, the Alaska State Medical Board issued an Order accepting Respondent's surrender.

1.5 On December 15, 2020, the Commission issued a Statement of Charges, alleging Respondent violated RCW 18.130.180(5), and an Ex Parte Order of Summary Suspension.

1.6 On January 4, 2021, Respondent filed an Answer to Statement of Charges with the Adjudicative Clerk Office, waiving the opportunity for a hearing. In the Answer to Statement of Charges Respondent informed the Commission that his license expired on or about December 7, 2020, that he had not practiced medicine in approximately three (3) years, and that he did not intend to resume practicing medicine.

1.7 The Commission submitted the Declaration of Kyle Karinen, Commission Staff Attorney, with attached exhibits.

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 The applicable standard of proof is clear and convincing evidence.

2.3 Respondent filed an Answer to the Statement of Charges within the time allowed by WAC 246-11-270(1)(a)(i) or WAC 246-11-270(3), waiving the right to a hearing. The Commission may issue a dispositive order based on the evidence presented to it. RCW 18.130.090(1) and RCW 34.05.440.

2.4 Based upon the Findings of Fact, Respondent has committed unprofessional conduct pursuant to RCW 18.130.180(5).

2.5 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 **Indefinite Suspension.** Respondent's license to practice as a physician and surgeon in the State of Washington is INDEFINITELY SUSPENDED.

3.2 **Termination of Order.** Respondent may petition the Commission in writing to terminate this Final Order if he decides to resume practice in the State of Washington. The Commission will issue a notice scheduling a date and time for Respondent to appear, unless the Commission waives the need for an 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.

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

3.4 **Costs.** Respondent must assume all costs of complying with this Final Order.

3.5 **Violations.** If Respondent violates any provision of this Final Order in any respect, the Commission may take further action against Respondent's license.

3.6 **Change of Address or Name.** Respondent must provide written notification to the Commission of changes in either his address of record or legal name within thirty (30) days of such change.

3.7 **Effective Date.** The effective date of this Final Order is the date the Commission places the signed Final Order into the U.S. mail. Respondent shall not submit any fees or compliance documents until after the effective date of this Final Order.

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. No sanction schedule applies to RCW 18.130.180(5). Therefore, the Commission uses its judgment to determine appropriate sanctions.

4.2 The duration of this Final Order is undetermined due to Respondent's stated desire to cease practice as a physician, so it is unclear whether he wishes to continue practicing in Washington and, if so, under what circumstances. An indefinite suspension will allow Respondent the opportunity to petition to resume practicing medicine in the future while protecting the public in the interim. This sanction is appropriate given the alleged facts of the case and is sufficient to protect the public.

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).

5. FAILURE TO COMPLY

Protection of the public requires practice under the terms and conditions imposed in this order. Failure to comply with the terms and conditions of this order may result in suspension of the license after a show cause hearing. If Respondent fails to comply with

the terms and conditions of this order, the Commission may hold a hearing to require Respondent to show cause why the license should not be revoked. Alternatively, the Commission may bring additional charges of unprofessional conduct under RCW 18.130.180(9). In either case, Respondent will be afforded notice and an opportunity for a hearing on the issue of non-compliance.

DATED: this 30 day of December, 2021.

STATE OF WASHINGTON
WASHINGTON MEDICAL COMMISSION

Sarah Lyle MD

PANEL CHAIR

PRESENTED BY:

Kyle Karinen

KYLE KARINEN, WSBA #34910
COMMISSION STAFF ATTORNEY

DATE