



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Wojciech Zolcik, MD
Master Case No.: M2023-345
Document: Stipulation to Informal Disposition

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.

“On April 27, 2023, Governor Jay Inslee signed into law Engrossed Substitute House Bill 1340, Chapter 192, Laws of 2023. Section 2 of ESHB 1340 removed (19) from RCW 18.130.180 and re-numbered all sections thereafter. Prior to the Code Reviser’s Office issuing updates to the Revised Code of Washington, but after passage, the Commission approved the following [STID; Waiver Order]. The referenced violation[violations] cited herein is to the previous version of RCW 18.130.180.”

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:

WOJCIECH ZOLCIK, MD
License No. MD.MD.60212421

Respondent.

No. M2023-345

**STIPULATION TO INFORMAL
DISPOSITION**

Pursuant to the Uniform Disciplinary Act, Chapter 18.130 RCW, the Washington Medical 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 June 9, 2011, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent's license is currently active. Respondent is board certified in psychiatry.

1.2 On or about June 28, 2022, Respondent was convicted via guilty plea of one count of driving under the influence in Clear Creek County, Colorado, *People of the State of Colorado vs. Wojciech Zolcik*, case no. 2022T 000178.

2. STIPULATION

2.1 The Commission alleges that the conduct described above, if proven, would constitute a violation of RCW 18.130.180(23)(a).

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.

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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 forgo further disciplinary proceedings concerning the allegations.

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

2.9 Respondent may benefit from completing a compliance orientation to discuss completing the sanctions in this Stipulation. To arrange an orientation Respondent should contact the Compliance Unit at the Commission by calling (360) 236-2781, or by sending an email to: Medical.compliance@wmc.wa.gov.

2.10 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 **WPHP Evaluation.** Within thirty (30) days of the effective date of this Stipulation, Respondent will undergo an evaluation with the Washington Physicians Health Program (WPHP).

3.2 **Compliance with WPHP.** If WPHP determines that Respondent needs to enter into a contract with WPHP, Respondent will fully comply with his contract with WPHP until he is discharged with WPHP approval, including compliance with any WPHP recommendations for third-party evaluators. Respondent must maintain updated confidentiality waivers authorizing full exchange of information between WPHP, any third-party referrals by WPHP, and the Commission. Respondent will authorize and

request a representative of WPHP to submit quarterly reports to the Commission addressing his progress, contract compliance, and ability to safely practice medicine. If Respondent fails to fully comply with the requirements of the WPHP contract, all information compiled by WPHP regarding his participation will be made available to the Commission.

3.3 Personal Appearances. Respondent must personally appear at a date and location determined by the Commission in approximately **twelve (12) 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.

3.4 Required submissions. Respondent must submit all required records or documentation to the Commission or its designee, in electronic format to the following email address: Medical.compliance@wmc.wa.gov.

3.5 Cost Recovery. Respondent must pay one thousand dollars (\$1,000) 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 **ninety (90) days** of the effective date of this Stipulation. Respondent must send payment to:

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

3.6 Demographic Census. Washington law requires physicians and physician assistants to complete a demographic census with their license renewal. RCW 18.71.080(1)(b) and 18.71A.020(4)(b). Respondent must submit a completed demographic census to the Commission within **thirty (30) days** of the effective date of this Informal Disposition, or at the time of renewal, whichever comes

first. The demographic census can be found here: can be found here:

<https://wmc.wa.gov/licensing/renewals/demographic-census>.

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

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

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

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

3.11 **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.

3.12 **Termination of Stipulation.** Respondent may not petition the Commission to terminate this Stipulation until after he completes the terms of this Stipulation and is endorsed by WPHP as safe to practice. The Commission has sole discretion to grant or deny Respondent's 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 A of the "Substance Abuse" schedule, WAC 246-16-850, applies to cases involving misuse of drugs or alcohol with no to minimal patient harm or risk of harm.

4.2 Tier A requires the imposition of sanctions ranging from zero years of oversight to five 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

6. COMMISSION'S ACCEPTANCE

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

DATED: July 13, 2023

STATE OF WASHINGTON
WASHINGTON MEDICAL COMMISSION

Harb Saklay
PANEL CHAIR

PRESENTED BY:

Joel DeFazio
JOEL DeFAZIO, WSBA #48141
COMMISSION STAFF ATTORNEY