



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Robert J. Reichler
Docket No.: 99-12-A-1053MD
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)

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 Nancy Ellison, Deputy Secretary, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

FILED
JAN 04 2000
Adjudicative Clerk
Office

In the Matter of the License to Practice)
As a Physician & Surgeon of:)
)
ROBERT J. REICHLER, MD)
License No. MD15532)
)
Respondent.)
_____)

Docket No. 99-12-A-1053MD

STATEMENT OF CHARGES

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 No. 99-08-0002MD. Any patients referred to in this Statement of Charges are identified in an attached Confidential Schedule

Section 1: ALLEGED FACTS

- 1.1 Robert J. Reichler, MD, Respondent, was issued a license to practice as a physician and surgeon by the state of Washington on November 1, 1976.
- 1.2 On or about August 2, 1999, a letter of complaint was received by the Commission concerning an allegation of unprofessional conduct by Respondent, as defined by RCW 18.130.180(4), the Uniform Disciplinary Act concerning Patient One.
- 1.3 On or about August 2, 1999, an informational letter from James H. Smith, Chief Investigator, was sent to Respondent informing Respondent of the receipt of the complaint and the investigative procedure that would be followed by the medical investigations unit of the Department of Health.
- 1.4 Pursuant to WAC 246-919-620, a letter dated August 11, 1999, return receipt requested, was sent to Respondent, at the current address on file with the Department of Health, from T. Slavin, Investigator, requesting a statement from Respondent addressing the issues raised by the complainant and a complete copy of Patient One's medical records. The United States Postal Service return receipt document indicates receipt of this letter by Respondent or his agent on or about August 13, 1999. There was no reply to this letter by Respondent.

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1.5 On or about October 5, 1999, a second letter dated October 5, 1999, return receipt requested, was sent to Respondent, at the current address on file with the Department of Health pursuant to WAC 246-919-620, again requesting a statement from Respondent and a copy of Patient One's medical record. This letter was returned by the United States Postal Service stamped "unclaimed". There was no reply to this letter by Respondent

Section 2: ALLEGED VIOLATIONS

2.1 The violations alleged in this section constitute grounds for disciplinary action pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

2.2 The facts alleged in paragraphs 1.2 through 1.5 in section 1 above constitute unprofessional conduct in violation of RCW 18.130.180(8), which provides in part:

- (8) Failure to cooperate with the disciplinary authority by:
 - (a) Not furnishing any papers or documents.
 - (b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplinary authority.

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

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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 18.130.180 RCW, and the imposition of sanctions under RCW 18.130.160.

DATED this 3d day of January, 2000.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

By: Maryella E. Jansen
Maryella E. Jansen
Program Manager

Presented by:

MARILYN STROM
MARILYN STROM, WSBA#26052
Assistant Attorney General

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

Program No. 99-08-0002MD

REDACTED

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

In the Matter of the License to Practice)
As a Physician and Surgeon of:)
)
ROBERT J. REICHLER, MD)
License No. MD15532)
)
Respondent.)
_____)

Docket No. 99-12-A-1053MD

- STIPULATED FINDINGS OF
FACT, CONCLUSIONS OF LAW
AND AGREED ORDER

The Medical Quality Assurance Commission (Commission), by and through Gerald D. Kelly, Staff Attorney Supervisor, Department of Health, and Robert J. Reichler, MD, Respondent, individually and by and through his counsel of record, John J. Greaney , stipulate and agree to the following:

Section 1: PROCEDURAL STIPULATIONS

1.1 Robert J. Reichler, MD, Respondent was issued a license to practice medicine and surgery by the state of Washington on November 1, 1976.

1.2 On January 3, 2000, the Commission issued a Statement of Charges regarding the professional practice of Respondent.

1.3 The January 3, 2000 Statement of Charges alleges that Respondent violated RCW 18.130.180(8).

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

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

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

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REDACTED

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

1.8 Respondent waives the opportunity for a hearing on the 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 18.130.110, 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(8).

2.2 Robert J. Reichler, MD, Respondent was issued a license to practice medicine and surgery by the state of Washington on November 1, 1976.

2.3 On or about August 2, 1999, a letter of complaint was received by the Commission concerning an allegation of unprofessional conduct by Respondent, as defined by RCW 18.130.180(4), the Uniform Disciplinary Act, concerning Patient One.

2.4 On or about August 2, 1999, an informational letter from James H. Smith, Chief Investigator, was sent to Respondent informing Respondent of the receipt of the complaint and the investigative procedure that would be followed by the medical investigation unit of the Department of Health.

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REDACTED

2.5 Pursuant to WAC 246-919-620, a letter dated August 11, 1999, return receipt requested, was sent to Respondent, at the current address on file with the Department of Health, from T. Slavin, Investigator, requesting a statement from Respondent addressing the issues raised by the complainant and a complete copy of Patient One's medical records. The United States Postal Service return receipt document indicates receipt of this letter by Respondent or his agent on or about August 13, 1999. There was no reply to this letter by Respondent.

2.6 On or about October 5, 1999, a second letter dated October 5, 1999, return receipt requested, was sent to Respondent, at the current address on file with the Department of Health pursuant to WAC 246-919-620, again requesting a statement from Respondent and a copy of Patient One's medical record. This letter was returned by the United States Postal Service stamped "unclaimed". There was no reply to this letter by Respondent

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 constitute unprofessional conduct in violation of RCW 18.130.180(8).

3.3 The uncontested facts stipulated to in Section 2 above constitute grounds for a Stipulation and Agreed Order and are grounds for the imposition of 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 Respondent is hereby reprimanded for his failure to cooperate with the Commission by not furnishing papers and documents requested and by not furnishing, in writing, a full and complete explanation covering the matter contained in the complaint filed with the Commission.

4.2 Respondent shall perform one hundred fifty (150) hours of community medical service at a local mental health facility or other appropriate, public supported, institution approved by the Commission or its designee. Said hours shall be verified in writing every three months by the director of the facility or facilities and shall be completed within one (1) year of the effective date of this Agreed Order.

4.3 Pursuant to RCW 18.130.160(8), Respondent shall pay a fine of One Thousand Dollars (\$1,000.00) within six (6) months of the effective date of this Agreed Order. The fine assessed herein shall be payable to the State Treasurer and sent to the address below:

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

4.4 Respondent shall assume all costs of complying with this Order.

4.5 After the Respondent has satisfactorily completed all terms and conditions in the Agreed Order or any subsequent orders, Respondent may file a petition in writing for release from this Agreed Order. Failure to comply with the terms and conditions of this Agreed Order may constitute cause for imposition of additional sanctions or a statement of charges.

4.6 If Respondent leaves the State of Washington, or surrenders his license in the State, or otherwise leaves the jurisdiction of the State of Washington, this Agreed Order shall remain in full force and effect and Respondent must nonetheless comply with all of the terms and conditions of the Agreed Order, until such time as Respondent petitions for and is released by this Commission.

4.7 Respondent shall thoroughly complete the attached Healthcare Integrity and Protection Data Bank Reporting Form (Section 1128 of the Social Security Act) and return it to the disciplining authority.

4.8 Respondent shall inform the Commission and the Adjudicative Clerk's Office, in writing, of changes in his residential and/or business addresses.

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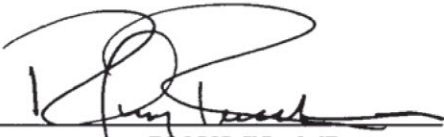
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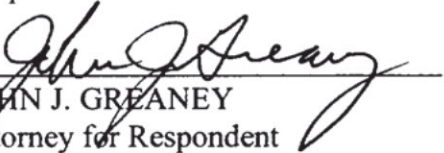
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4.9 This Stipulation and Agreed Order shall become effective ten (10) days from the date the Order is signed by the Commission chair, or upon service of the Order on the Respondent, whichever date is sooner.

I, Robert J. Reichler, MD, Respondent, certify that I have read this Stipulated Findings of Fact, Conclusions of Law and Agreed Order in its entirety; that my counsel of record, if any, has 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 Stipulated Findings of Fact, Conclusions of Law and Agreed Order, I understand that I will receive a signed copy.


ROBERT J. REICHLER, MD
Respondent

6/23/00
Date


JOHN J. GREANEY
Attorney for Respondent

June 23, 2000
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 ^{4th} 13 day of July, 2000.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

By: Janice M. Rayson PA-C
PANEL CHAIR

PRESENTED BY:

M. Weisman for Gerald Kelly
Gerald D. Kelly, JD, WSBA# 5427
Staff Attorney Supervisor, Department of Health

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBER:

PROGRAM NUMBER. 99-08-0002MD

REDACTED



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Robert Reichler, MD
Docket No.: 99-12-A-1053MD
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) 236-4818

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:)

Docket No. 99-12-A-1053MD

ROBERT J. REICHLER, MD)
License No. MD00015532,)

**ORDER ON REQUEST
FOR RELEASE FROM
COMMISSION ORDER**

Respondent.)
_____))

This matter came before a panel of the Medical Quality Assurance Commission (Commission) of the state of Washington on January 24, 2002, at the Hawthorn Suites Hotel in Kent, Washington, pursuant to a petition of Respondent Robert J. Reichler, MD, requesting release from the Commission's oversight and monitoring, pursuant to the terms of the Stipulated Findings of Fact, Conclusions of Law and Agreed Order (Agreed Order) dated July 13, 2000.

Robert J. Reichler, MD, did not appear and was not represented by counsel. Gerald D. Kelly, Supervising Staff Attorney, appeared on behalf of, and representing, the Department of Health and presented arguments regarding the petition. The Reviewing Commission Member is Marilyn Ward, public member, who was not present at the hearing.

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

I. PROCEDURAL HISTORY

1.1 On January 3, 2000, the Commission issued a Statement of Charges regarding the professional practice of Respondent and alleging that Respondent had violated RCW 18.130.180(8).

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1.2 On July 13, 2000, the Commission and Respondent entered into an Agreed Order, in which Respondent was reprimanded for his failure to cooperate with the Commission by not furnishing papers and documents requested and by not furnishing, in writing, a full and complete explanation covering the matter contained in the complaint filed with the Commission.

1.3 The Agreed Order further required performance of 150 hours of community medical service and payment of a fine.

1.4 On May 18, 2001, Respondent, by letter, petitioned for termination and release from the Agreed Order, pursuant to section 4.5 of the Agreed Order. On December 14, 2001, the Adjudicative Clerk Office issued Respondent a Notice of Hearing, setting the hearing on the reinstatement request for January 24, 2002.

1.5 At the hearing, the Department set forth its argument and Respondent, who was not present, submitted documents on his own behalf, and the Commission considered the reinstatement request and Respondent's compliance with the Agreed Order.

II. FINDINGS OF FACT

2.1 Respondent, Robert J. Reichler, MD, is a physician duly licensed to practice as a physician and surgeon in the state of Washington since November 1, 1976 and his practice has been subject to the oversight and monitoring by the Agreed Order.

2.2 The record for consideration of this reinstatement request consists of the disciplinary packet provided to the Commission panel members including the Statement of Charges and Agreed Order, the compliance requirement summary, Respondent's petition, and a memorandum regarding community service hours performed by Respondent from George Heye, MD, medical consultant, to Dani Newman, compliance officer.

2.3 Both the Department and the reviewing commission member, Marilyn Ward, supported the reinstatement request. The Department offered its opinion that Respondent had complied with the requirement of the Agreed Order.

2.4 Based on the record and the overall compliance by the Respondent with the terms and conditions of the Agreed Order, the Commission finds that the reinstatement request should be granted.

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III. CONCLUSIONS OF LAW

From the foregoing Findings of Fact, the Commission makes the following Conclusions of Law:

3.1 The Commission has jurisdiction over Respondent and over the subject matter of this proceeding. As provided by RCW 18.71.019, the UDA (Chapter 18.130 RCW) governs the discipline of physician licensees by the Commission.

3.2 RCW 18.130.160 in the UDA permits the Commission to fashion appropriate remedies in disciplining the Respondent including, without limitation, imposing restrictions or limitations on Respondent's practice. The Agreed Order provides for restrictions and/or limitations on Respondent's practice, and the Commission must consider what is necessary to protect the public in imposing (or continuing) sanctions, RCW 18.130.160.

3.3 The Respondent is in compliance with the Agreed Order and an Order should be entered terminating the Commission's oversight and monitoring of Respondent and releasing Respondent from the Agreed Order.

IV. ORDER

Based the foregoing Procedural History, Findings of Fact and Conclusions of Law, the Commission makes the following Order:

4.1 The reinstatement request of Respondent, Robert J. Reichler, MD, is Granted.

4.2 The Agreed Order is terminated; with the effective date of the termination of the discipline imposed by the Agreed Order is January 24, 2002.

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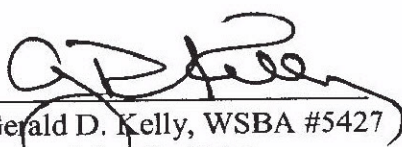
4.3 This Order was served upon Respondent on the day it was deposited in the United States mail, RCW 34.05.010(19).

DATED this 24 day of January, 2002.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

By: 
PANEL CHAIR

Presented by:


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

FOR INTERNAL TRACKING PURPOSES ONLY. INTERNAL TRACKING NO. 99-08-0002MD