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The path to discipline for physicians and physicians assistants can be slow in Hawaii, and discipline isn't always apparent to consumers checking records on the Department of Commerce & Consumer Affairs website.

Professional WARTER, CARLOS

Details Dr. Carlos Warter, a psychiatrist, was convicted in Colorado more than three decades ago of falsification of reports after he overcharged that state's Medicaid program \$44,500. He subsequently was banned from participating in any Medicaid and Medicare programs for 20 years, according to regulatory records. In 1999, Florida refused to issue Warter a medical license. Among other things, Florida cited a lack of good moral character and Warter's conviction for a crime that related directly to the practice of medicine. A decade later, Washington state likewise rejected Warter's license application, citing the conviction and misrepresentation or concealment of material facts related to a crime involving moral turpitude. In between the two denials, Hawaii issued Warter an unrestricted license in May 2004. A 2010 federal indictment accused Warter of using a false billing scheme to submit \$1 million in inflated claims to Hawaii Medicaid, HMSA and TriCare from 2004 through December 2008. Warter, who at the time of his indictment was living in Argentina, was put on the Office of the Inspector General's most-wanted fugitives list. He was arrested in Argentina in 2011. But the indictment, which covered 62 counts related to false billings, was dismissed recently "in the interest of justice and for humanitarian reasons." A July motion by federal prosecutors requested the court dismiss the case because of Warter's health, though it didn't elaborate. A document filed by his lawyer, federal Public Defender Peter Wolff, elaborating on Warter's health, was sealed by the court. In a brief phone conversation, Wolff said Warter couldn't be reached in Argentina. The prosecution document seeking the dismissal said the government was relying on an agreement with Warter "that he will never again seek to be reimbursed" for medical services covered directly or indirectly by federal funds. Warter was first indicted by the state in August 2009 - just four months after the Hawaii Senate confirmed him to serve on the state's medical advisory board. He was nominated by then-Gov. Linda Lingle and had been serving on the volunteer panel, which advises the state on medical issues related to obtaining a drivers' license, since December 2007. Based on Washington's medical licensure denial, Hawaii's medical board in 2010 pursued a complaint against Warter. In February 2011, the board approved a settlement in which Warter agreed to voluntarily surrender his medical license. He allegedly failed to inform Hawaii about Washington's decision within the required 30 days. It's unclear whether he disclosed his conviction when he applied for

his Hawaii license. Department of Commerce and Consumer Affairs officials said they could not comment on information related to the Warter application, citing state law.

Documents **Warter, Carlos (PDF)**

(<https://assets.documentcloud.org/documents/2487825/wartercarlos.pdf>)