



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Kathryn Ann Neraas, MD
Master Case No.: M2014-903
Document: Statement of Charges

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
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION**

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

KATHRYN ANN NERAAS, MD
License No. MD00029993

Respondent

No. M2014-903

STATEMENT OF CHARGES

The Executive Director of the Medical Quality Assurance Commission (Commission) is authorized to make the allegations below, which are supported by the evidence contained in Commission file number 2014-4867.

1. ALLEGED FACTS

1.1 On July 31, 1992, the state of Washington issued Respondent a license to practice as a physician and surgeon. Respondent's license is currently active.

1.2 Respondent is a board-certified psychiatrist with a solo practice in Seattle.

1.3 The Washington Physicians Health Program (WPHP) received calls on March 11 and 12, 2014, from several of Respondent's professional and social contacts notifying WPHP that they believed WPHP needed to contact Respondent.

1.4 WPHP immediately contacted Respondent and spoke with her by phone on March 13, 2014. WPHP staff then met with Respondent on March 18, 2014, to begin an informal assessment of her. At that meeting, WPHP describes Respondent as "hypomanic, but significantly clinically improved compared to her phone" call on March 13, 2014.

1.5 Less than a week later, on March 26, 2014, Respondent came to the WPHP office 45 minutes late for her appointment which had been scheduled to start the assessment process. WPHP believed Respondent's late arrival was due to Respondent's "disorganization and distractibility secondary to worsening hypomania." The appointment was rescheduled to April 1, 2014.

1.6 On April 1, 2014, Respondent arrived over 30 minutes late to her follow-up appointment with WPHP. This appointment had been scheduled at Respondent's office in

the hope that it would increase Respondent's ability to cooperate with WPHP. WPHP again stated that Respondent's late arrival was "due to disorganization and distractibility" and that although "[s]he appeared to be slightly less hypomanic than she had been on" March 26, "[s]he was pressured throughout this entire visit and did not permit [WPHP] to share feedback with her."

1.7 WPHP never received the promised documentation from Respondent's treatment provider in spite of WPHP's direct request to the provider. On April 24, 2014, Respondent notified WPHP that she was withdrawing all consents for WPHP to contact or receive direct communications from Respondent's treatment providers or Respondent's family, friends, or professional contacts.

1.8 On April 29, 2014, WPHP sent Respondent a letter in which WPHP's Medical Director, Charles Meredith, MD, summarized WPHP's interactions with Respondent. Dr. Meredith's letter stated during their visits with Respondent she "consistently appeared to display racing thoughts, pressured speech, and significant distractibility. [She] repeated tangential information a number of times, and appeared to have difficulty modulating [her] emotional responses. [Her] speech was so pressured that [WPHP staff] were unable to interact with [her] and interject with questions, feedback or other comments."

1.9 Dr. Meredith's letter told Respondent "[i]t was concerning to us that you appear too disorganized to keep these appointments and is worrisome that your mental status is significantly affecting your level of occupational and psychosocial functioning." Because of Respondent's refusal to permit WPHP to speak with her treatment providers, to provide written documentation of her current mental health treatment, or participate with a WPHP assessment, Dr. Meredith stated: "As a result of these behaviors and without communication with your treatment providers, we conclude that you are currently impaired by a mental health condition from being able to practice medicine with reasonable safety to patients."

1.10 Dr. Meredith's letter directed Respondent "to take a leave from your clinical practice immediately and report to our offices so that we are able to complete our assessment." Respondent was directed to schedule a meeting with WPHP's clinical staff within seven days of receipt of the letter, and that "[f]ailure to follow these instructions will

result in our filing a report with the Medical Quality Assurance Commission as is our legal obligation." The letter was sent by certified mail.

1.11 When Respondent failed to sign for the certified letter, WPHP sent another, virtually identical letter, on May 15, 2014. This letter was mailed by regular mail and faxed to Respondent's office fax number. On May 16, 2014, Respondent acknowledged receipt of the letter through "multiple disorganized voicemails" to WPHP.

1.12 On June 5, 2014, WPHP sent a letter to the Commission notifying the Commission of WPHP's interactions with Respondent, their inability to complete their assessment of her due to her failure to cooperate, and WPHP's concern that Respondent "was impaired by what appeared to be a manic episode secondary to what we suspect is treatment resistant bipolar mood disorder.

1.13 On June 26, 2014, Respondent met with WPHP staff and signed an agreement to stop practicing medicine immediately. Investigator's Declaration, Exhibits D and E. Respondent renewed consent forms which were necessary for WPHP to be able to complete their assessment of her functional status.

1.14 When Respondent met with WPHP again, on July 8, 2014, she stated she had stopped practicing on June 26, 2014. She declined to sign the WPHP monitoring agreement and was given until July 25, 2014 to return to WPHP to sign.

1.15 Respondent failed to return to WPHP and did not sign a monitoring agreement.

1.16 The Prescription Monitoring Profile report reveals that Respondent had issued prescriptions for controlled substances on July 3, July 7, and August 11, 2014, in violation of her agreement, dated June 26, 2014, that she would immediately cease practicing. One of the prescriptions was issued just the day before Respondent assured WPHP that she was no longer practicing. A Commission investigator contacted the pharmacies that had dispensed the medications; they confirmed the dates Respondent issued the prescriptions, and provided copies to the investigator.

1.17 On August 18, 2014, WPHP notified the Commission that: "We believe that [Respondent] is too impaired to practice medicine with reasonable skill and safety to patients and WPHP cannot endorse her return to work at this time. We note that she continues to be out of compliance with WPHPs [sic] recommendations by electing not to enroll in a monitoring agreement and by continuing to practice medicine [prescribing

medications after June 26] ... when she is not safe to do so. We believe that her psychiatric impairment may be interfering with her ability to follow our directions.”

1.18 Subsequently WPHP received a letter from Respondent's new treating psychiatrist, dated August 21, 2014. The psychiatrist, Robert B. Olsen, MD, said he had met with Respondent three times and reached different conclusions about her mental health condition than WPHP had.

1.19 By letter, dated, August 29, 2014, WPHP confirmed that it stands by its letter of August 18th, in which WPHP notified the Commission that it believed that Respondent was “too impaired to practice medicine with reasonable skill and safety to patients and WPHP cannot endorse her return to work at this time.”

2. ALLEGED VIOLATIONS

2.1 Based on the Alleged Facts, Respondent is unable to practice with reasonable skill and safety pursuant to RCW 18.130.170(1): which provides:

RCW 18.130.170 Capacity of license holder to practice—Hearing—Mental or physical examination—Implied consent.

(1) If the disciplining authority believes a license holder may be unable to practice with reasonable skill and safety to consumers by reason of any mental or physical condition, a statement of charges in the name of the disciplining authority shall be served on the license holder and notice shall also be issued providing an opportunity for a hearing. The hearing shall be limited to the sole issue of the capacity of the license holder to practice with reasonable skill and safety. If the disciplining authority determines that the license holder is unable to practice with reasonable skill and safety for one of the reasons stated in this subsection, the disciplining authority shall impose such sanctions under RCW 18.13.160 as is deemed necessary to protect the public.

2.2 The above violation provides grounds for imposing sanctions under RCW 18.130.160.

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3. NOTICE TO RESPONDENT

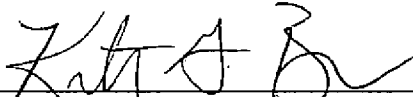
The charges in this document affect the public health, safety and welfare. The Executive Director of the Commission directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline and the imposition of sanctions under Chapter 18.130 RCW.

DATED: August 29, 2014.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION



MELANIE DE LEON
EXECUTIVE DIRECTOR



KRISTIN G. BREWER, WSBA # 38494
ASSISTANT ATTORNEY GENERAL