



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
Olympia, Washington 98504

RE: John A. Catanzaro  
Docket No.: 03-07-B-1007NT  
Document: Statement of Allegations and Summary of Evidence

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:

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

**FILED**  
**OCT 01 2007**  
Adjudicative Clerk Office

**STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
SECRETARY OF HEALTH**

In the Matter of

**JOHN A. CATANZARO**  
Credential No. NT00000769

Respondent

**Docket No. 03-07-B-1007NT**

**STATEMENT OF ALLEGATIONS  
AND SUMMARY OF EVIDENCE**

The Director of Health Professions Quality Assurance, Naturopathy Program (Program), on designation by the Secretary of Health (Secretary), makes the allegations below, which are supported by evidence contained in program file number 2003-02-0001NT. The patients referred to in this Statement of Allegations and Summary of Evidence are identified in the attached Confidential Schedule.

**1. ALLEGED FACTS**

1.1 In September 1996, the state of Washington issued Respondent a credential to practice as a Doctor of Naturopathic Medicine. Respondent's credential is currently active.

1.2 On or about June 14, 2002, Respondent prescribed for Patient A legend substance Diflucan, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.3 On or about June 28, 2002, Respondent prescribed for Patient B legend substance Allegra, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.4 On or about January 3, 2002, Respondent prescribed for Patient C legend substance Guaifenesin LA 600 mg, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of

the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.5 On or about February 19, 2002; April 18, 2002; July 23, 2002; August 19, 2002; September 21, 2002; October 30, 2002; January 11, 2003 and February 5, 2003, Respondent prescribed for Patient D legend substance Albuterol, which was not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.6 On or about November 18, 2002, Respondent prescribed for Patient E legend substance Acticin, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.7 On or about January 2, 2003, Respondent prescribed for Patient F legend substances Guaifenes LA 600mg and Zithromax Z-Pak, which were not medicines of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of the Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.8 On or about February 13, 2003, Respondent prescribed for Patient G legend substance Guaifenes LA/Ephedrine 600/120 mg, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and is not exemplified in traditional botanical and herbal pharmacopoeia.

1.9 On or about July 8, 2002, Respondent prescribed for Patient H legend substances Guaifenes LA 600 mg and Zithromax, which were not medicines of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.10 On or about January 29, 2002, Respondent prescribed for Patient I legend substance Guaifenes LA 600 mg, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of

the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.11 On January 9, 2002 and January 16, 2003, Respondent prescribed for Patient J legend substances Guaifenes LA 600 mg, Zithromax and ciprofloxacin, which were not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.12 On or about November 2, 2002, Respondent prescribed for Patient K legend substance Guaifenes (naproxen 500mg), which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.13 On or about February 14, 2003, Respondent prescribed for Patient L legend substance Maxalt, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.14 On or about May 23, 2002, Respondent prescribed for Patient L legend substances Guaifenes LA 600 mg and Zithromax, which were not medicines of mineral, animal, or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.15 On or about May 28, 2002 and June 25, 2002 Respondent prescribed for Patient L legend substance Claritin, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.16 On or about June 28, 2002 and December 17, 2002, Respondent prescribed for Patient M legend substance Diflucan, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the

Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.17 On or about November 1, 2002 and February 22, 2002, Respondent prescribed for Patient N legend substance Diflucan, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.18 On or about November 22, 2002, Respondent prescribed for Patient N legend substance Naproxen 500 mg, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of the State of Washington and not exemplified in traditional botanical and herbal pharmacopoeia.

1.19 On or about November 30, 2002, Respondent prescribed for Patient N legend substances Guaifenesin LA 600 mg and azithromycin (Zithromax Z-Pak), which were not medicines of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.20 On or about December 23, 2002, Respondent prescribed for Patient N legend substance Naproxen 500 mg which was not a medicine of mineral, animal, or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.21 On or about February 1, 2001, Respondent prescribed for Patient O legend substances Guaifenesin LA 600 mg and Diflucan, which were not medicines of mineral, animal, or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.22 On or about March 28, 2002, Respondent prescribed for Patient P legend substances Guaifenesin LA 600 mg and Zithromax, which were not medicines of mineral, animal or botanical origin, not identified on the legend substance list approved by the

Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.23 On or about May 31, 2002, Respondent prescribed for Patient Q legend substances Guaifenex LA 600 mg and Zithromax Z-Pak, which were not medicines of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.24 On or about July 18, 2002, Respondent prescribed for Patient Q legend substance Bactroban 2% Cream, which was not a medicine of mineral, animal, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

1.25 On or about January 25, 2002, Respondent prescribed for Patient R legend substance Zithromax, which was not a medicine of mineral, animal or botanical origin, not identified on the legend substance list approved by the Secretary of the Department of Health of Washington State and not exemplified in traditional botanical and herbal pharmacopoeia.

## **2. SUMMARY OF EVIDENCE**

2.1 Rite Aid Pharmacy records dated April 17, 2003, for Physician Activity Report from January 1, 2002 through February 23, 2003.

2.2 Bartell Drugs Patient Profile Detail for Patient N from January 1, 2002 through February 25, 2003.

2.3 Top Food & Drug #45 Physician's Activity Report from January 1, 2001 through April 7, 2003.

2.4 Patient records for Patient O, dated 1997 through September 2002.

2.5 Patient records for Patient N, dated 1998 through 2002.

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### 3. ALLEGED VIOLATIONS

3.1 The facts alleged in Section 1, if proven, would constitute unprofessional conduct in violation of RCW 18.130.180(7) and (12), RCW 18.36A.020(10) and RCW 18.36A.040 and WAC 246-836-210, which provide:

**RCW 18.130.180 Unprofessional conduct.** The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

...

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards patent care or professional conduct or practice;

...

(12) Practice beyond the scope of practice as defined by law or rule;

....

**RCW 18.36A.040 Scope of practice.** Naturopathic medicine or naturopathy is the practice by naturopaths of the art and science of the diagnosis, prevention, and treatment of disorders of the body by stimulation or support, or both, of the natural processes of the human body. A naturopath is responsible and accountable to the consumer for the quality of naturopathic care rendered.

The practice of naturopathy includes manual manipulation (mechanotherapy), the prescription, administration, dispensing, and use, except for the treatment of malignancies or neoplastic disease, of nutrition and food science, physical modalities, homeopathy, certain medicines of mineral, animal, and botanical origin, hygiene and immunization, common diagnostic procedures and suggestion;

...

**RCW 18.36A.020(10)** "Medicines of mineral, animal, and botanical origin" means medicines derived from animal organs, tissues, and oils, minerals, and plants administered orally and topically, excluding legend drugs with the following exceptions: Vitamins, minerals, whole gland thyroid, and substances as exemplified in traditional botanical and herbal pharmacopoeia, and nondrug contraceptive devices excluding interuterine [sic] devices. The use of intermuscular [sic] injections are limited to vitamin B-12 preparations and combinations when clinical and/or laboratory evaluation has indicated vitamin B-12 deficiency. The use of controlled substances is prohibited.

**WAC 246-836-210 Authority to use, prescribe, dispense and order.** Licensed naturopaths may use, prescribe, dispense, and order certain medicines of mineral, animal, and botanical origin including the following:

- (1) Nonlegend [sic] medicines derived from animal organs, tissues, and oils, minerals, and plants administered orally and topically.
- (2) Legend topical ointments, creams, and lotions containing antiseptics.
- (3) Legend topical, local anesthetics applied to superficial structures for use during minor office procedures as appropriate. Topical local anesthetic means the local application of anesthetic which may be injected into the intradermal [sic] subcutaneous layers of the skin only to the extent necessary to care for superficial lacerations, abrasions and the removal of foreign bodies located in superficial structures not to include the eye.
- (4) Legend vitamins, minerals, trace minerals, and whole gland thyroid.
- (5) Nondrug contraceptive devices except intrauterine devices.
- (6) All homeopathic preparations.
- (7) Intramuscular injections limited to vitamin B-12 preparations and combinations when clinical or laboratory evaluation has indicated vitamin B-12 deficiency.
- (8) Immunizing agents approved by the Bureau of Biologics, United States Food and Drug Administration and listed in the current "Recommendations of the United States Public Health Services Immunizations Practices Advisory Committee" (ACIP) or the "Report of the Committee of Infectious Diseases" published by the American Academy of Pediatrics.
- (9) Legend substances as exemplified in traditional botanical and herbal pharmacopeia [sic] as identified by a list of substances to be developed by the secretary.

....

#### **4. NOTICE TO RESPONDENT**

4.1 The Secretary has determined that this case may be appropriate for resolution through a Stipulation to Informal Disposition pursuant to RCW 18.130.172(2). A proposed Stipulation to Informal Disposition is attached, which contains the disposition the Secretary believes is necessary to address the conduct alleged in this Statement of Allegations and Summary of Evidence.

4.2 If Respondent agrees that the disposition imposed by the Stipulation to Informal Disposition is appropriate, Respondent should sign and date the Stipulation to



Informal Disposition and return it within fourteen (14) days to the Department of Health Legal Service Unit at PO Box 47873, Olympia, WA 98504-7873.

4.3 If Respondent does not agree that the terms and conditions contained in the Stipulation to Informal Disposition are appropriate, Respondent should contact Judy L. Young, Department of Health Staff Attorney, PO Box 47873, Olympia, WA 98504-7873, (360) 236-4879 within fourteen (14) days.

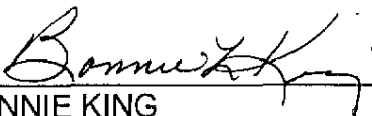
4.4 If Respondent does not respond within fourteen (14) days, the Secretary will assume Respondent has declined to resolve the allegations by means of a Stipulation to Informal Disposition.

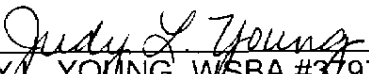
4.5 If Respondent declines to resolve the allegations by means of a Stipulation to Informal Disposition pursuant to RCW 18.130.172(2), the Secretary may proceed to formal disciplinary action against Respondent by filing a Statement of Charges, pursuant to RCW 18.130.172(3).

4.6 The cover letter enclosed with this Statement of Allegations and Summary of Evidence was mailed to the name and address currently on file for Respondent's credential. Respondent must notify, in writing, the Adjudicative Service Unit and the Naturopathy Program if Respondent's name and/or address changes.

DATED: June 13, 2007.

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
SECRETARY OF HEALTH

  
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BONNIE KING  
DIRECTOR

  
\_\_\_\_\_  
JUDY L. YOUNG, WSBA #3797  
DEPARTMENT OF HEALTH STAFF ATTORNEY

FOR INTERNAL USE ONLY:

PROGRAM NO. 2003-02-0001NT

**CONFIDENTIAL SCHEDULE**

**This information is confidential and is NOT to be released without the consent of the individual or individuals named herein. RCW 42.56.240(1)**

- Patient A**
- Patient B**
- Patient C**
- Patient D**
- Patient E**
- Patient F**
- Patient G**
- Patient H**
- Patient I**
- Patient J**
- Patient K**
- Patient L**
- Patient M**
- Patient N**
- Patient O**
- Patient P**
- Patient Q**
- Patient R**

