

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

STIPULATION TO INFORMAL
DISPOSITION

1. STIPULATION

The parties to the above-entitled matter stipulate as follows:

1.1 John A. Catanzaro, Respondent, is informed and understands that the Director of Health Professions Quality Assurance, Naturopathy Program (Program), on designation by the Secretary of Health (Secretary), has made the following allegations.

- A. 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.
- B. 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.
- C. 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.
- D. 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.

- E. 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 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.
- F. 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.
- G. 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.
- H. 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.
- I. 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.
- J. On or about January 29, 2002, Respondent prescribed for Patient I legend substance Guaifenex 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.
- K. On January 9, 2002 and January 16, 2003, Respondent prescribed for Patient J legend substances Guaifenex LA 600 mg, Zithromax and ciprofloxacin, 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.
- L. On or about November 2, 2002, Respondent prescribed for Patient K legend substance Guaifenex (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.
- M. 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.
- N. On or about May 23, 2002, Respondent prescribed for Patient L legend substances Guaifenex 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.
- O. 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.
- P. 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.
- Q. On or about November 1, 2002 and February 22, 2002, Respondent prescribed for Patient N legend substance Diflucan, which is 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.
- R. 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.
- S. 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.
- T. On or about December 23, 2002, Respondent prescribed for Patient N legend substance Naproxen 500 mg which was not a medicine of mineral, 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.
- U. 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.
- V. 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.
- W. On or about May 31, 2002, Respondent prescribed for Patient Q legend substances Guaifenesin 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.
- X. On or about July 18, 2002, Respondent prescribed for Patient Q legend substance Bactroban 2% Cream, 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.

Y. 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.

1.2 Respondent is informed and understands that the Secretary has alleged that the conduct described above, if proven, would constitute a violation of RCW 18.130.180(7) and (12), RCW 18.36A.020(10), and RCW 18.36A.040 and WAC 246-836-210.

1.3 The parties wish to resolve this matter by means of a Stipulation to Informal Disposition pursuant to RCW 18.130.172(1).

1.4 Respondent agrees to be bound by the terms and conditions of the Stipulation to Informal Disposition.

1.5 This Stipulation to Informal Disposition is of no force and effect and is not binding on the parties unless and until it is accepted by the Secretary.

1.6 Respondent does not admit any of the allegations in the Statement of Allegations and Summary of Evidence or in Paragraph 1.1 above. This Stipulation to Informal Disposition shall not be construed as a finding of unprofessional conduct or inability to practice.

1.7 This Stipulation to Informal Disposition is not formal disciplinary action. However, it is subject to the federal reporting requirements pursuant to Section 1128E of the Social Security Act and 45 CFR Part 61 and any other applicable interstate/national reporting requirements. It is a public document and will be available on the Department of Health web site.

1.8 This Stipulation to Informal Disposition is releasable to the public upon request pursuant to the Public Records Act, chapter 42.56 RCW. The Statement of

Allegations and Summary of Evidence and the Stipulation to Informal Disposition shall remain part of Respondent's file and cannot be expunged.

1.9 The Secretary agrees to forego further disciplinary proceedings concerning the allegations contained in Paragraph 1.1 above.

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

1.11 Respondent is advised and understands that a violation of the provisions of Section 2 of this Stipulation to Informal Disposition, if proved, would constitute grounds for discipline under RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

2. INFORMAL DISPOSITION

Pursuant to RCW 18.130.172(2) and based upon the above stipulation, the parties agree to the following Informal Disposition:

2.1 Respondent's credential to practice as a Doctor of Naturopathic Medicine is placed on **PROBATION** for twelve (12) months.

2.2 No later than sixty (60) days after service of this Stipulation to Informal Disposition, Respondent shall pay cost recovery in the amount of one thousand five hundred dollars (\$1,500.00). The cost recovery shall be paid by certified or cashier's check or money order, made payable to the Department of Health, and mailed to the Department of Health, Naturopathy Program, P.O. Box 1099, Olympia, WA 98507-1099.

2.3 No later than one (1) year after this Stipulation to Informal Disposition is entered, Respondent shall complete four (4) hours of continuing education in the area of professional ethics, which shall be approved in advance by the Program and which shall be in addition to any continuing education required for credential renewal. Within thirty (30) days of completion of any course that Respondent takes to satisfy this requirement of four (4) hours of professional ethics, Respondent shall provide the Program with written verification from the course sponsor of his successful completion of the course.

2.4 Within one (1) year from the effective date of this Agreed Order, Respondent shall successfully complete the Naturopathy Jurisprudence Examination. Respondent shall take the examination at his own expense.

2.5 Respondent shall obey all federal, state and local laws and all administrative rules governing the practice of the profession in Washington.

2.6 Respondent shall assume all costs of complying with this Stipulation to Informal Disposition.

2.7 If Respondent violates any provision of this Stipulation to Informal Disposition in any respect, the Program may take further action against Respondent's credential.

2.8 Respondent shall inform the Program and the Adjudicative Service Unit in writing, of changes in his residential and/or business address within thirty (30) days of such change.

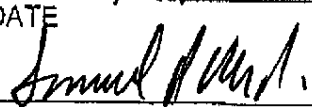
I, JOHN A. CATANZARO, Respondent, certify that I have read this Stipulation to Informal Disposition in its entirety; that my counsel of record, Samuel J. Elder, Jr., has fully explained the legal significance and consequence of it; that I fully understand and agree to all of it; and that it may be presented to the Secretary without my appearance. If the Secretary accepts the Stipulation to Informal Disposition, I understand that I will receive a signed copy.



JOHN A. CATANZARO
RESPONDENT

09-11-07

DATE



SAMUEL J. ELDER, JR., WSBA# 26085
ATTORNEY FOR RESPONDENT


9-12-07

DATE

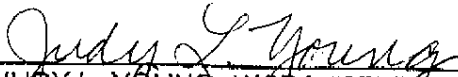
3. ACCEPTANCE

The Secretary of Health accepts this Stipulation to Informal Disposition. All parties shall be bound by its terms and conditions.

DATED: October 1, 2007.


HEALTH LAW JUDGE
Arthur E DeBusschere

PRESENTED BY:


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

September 18, 2007
DATE

FOR INTERNAL USE ONLY:

PROGRAM NO. 2003-02-0001NT

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