

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
BOARD OF NATUROPATHY

In the Matter of:

JOHN A. CATANZARO,  
Credential No. NATU.NT.00000769,

Respondent.

Master Case No. M2013-1272

EX PARTE ORDER OF  
SUMMARY ACTION

PRESIDING OFFICER: Frank Lockhart, Health Law Judge

BOARD PANEL: Mark Monwai, N.D., Panel Chair  
Chad Aschtgen, N.D.  
Michael Whitney, N.D.

This matter came before the Board of Naturopathy (Board) on January 28, 2014, on an Ex Parte Motion for Order of Summary Action (Ex Parte Motion) brought by the Naturopathic Medicine Program of the Department of Health (Department) through the Office of the Attorney General. The Department issued a Statement of Charges alleging the Respondent violated RCW 18.130.180(1), (4), (7), and (13); 21 CFR 312.20; 21 CFR 312.40(b) and (d); 21 CFR 312.80; 21 CFR 56.103; 45 CFR 46.116; and 45 CFR 46.117. The Board, after reviewing the Statement of Charges, Ex Parte Motion and supporting evidence, GRANTS the motion. CREDENTIAL SUSPENDED pending further action.

**I. FINDINGS OF FACT**

1.1 The Respondent is a naturopathic physician, credentialed by the state of Washington at all times applicable to this matter.

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1.2 The Department issued a Statement of Charges alleging Respondent violated RCW 18.130.180(1), (4), (7), and (13); 21 CFR 312.20; 21 CFR 312.40(b) and (d); 21 CFR 312.80; 21 CFR 56.103; 45 CFR 46.116; and 45 CFR 46.117. The Statement of Charges was accompanied by all other documents required by WAC 246-11-250.

1.3 The Respondent is engaged in the development of an experimental autologous peptide vaccine for individual immune treatment of cancer patients.

1.4 The Statement of Charges and the Ex Parte Motion allege that the Respondent has not submitted appropriate documentation for implementing cancer research/vaccine on humans as required by federal law. The Respondent's failure to obtain the required Institutional Review Board (IRB) approval contravenes public health and safety because the safeguards which exist under approved IRB oversight are not in place when the Respondent uses this vaccine on patients.

1.5 The Respondent has not been able to provide proof of the safety of the vaccine manufacturing method. Further, the evidence indicates that the Respondent has not obtained fully informed consent from his patients. A review of patient records raises serious questions concerning standard of care provided to patients.

1.6 The above allegations, supported by the declarations of Jeffrey Yoshinaka and Leanna J. Standish, Ph.D., N.D., together with the attached exhibits, justify the determination of immediate danger in this case and a decision to immediately suspend the Respondent's credential until a hearing on the matter is held. A lesser restrictive alternative to summary suspension will not adequately protect the public.

## II. CONCLUSIONS OF LAW

2.1 The Board, has jurisdiction over the Respondent's credential to practice as a naturopathic physician. RCW 18.130.040.

2.2 The Board has authority to take emergency adjudicative action to address an immediate danger to the public health, safety, or welfare. RCW 34.05.422(4); RCW 34.05.479; RCW 18.130.050(8); and WAC 246-11-300.

2.3 The Findings of Fact establish the existence of an immediate danger to the public health, safety, or welfare if the Respondent has an unrestricted credential. The Findings of Fact establish that the requested summary action is necessary and adequately addresses the danger to the public health, safety, or welfare.

## III. ORDER

3.1 Based on the Findings of Fact and Conclusions of Law, it is ORDERED that the Respondent's credential to practice as a naturopathic physician is SUMMARILY SUSPENDED pending further disciplinary proceedings by the Board. The Respondent shall immediately deliver all credentials, including wall, display, and/or wallet, if any, to the Department.

3.2 It is HEREBY ORDERED that a protective order in this case is GRANTED. All healthcare information and non-conviction data contained in the Ex Parte Motion, Declaration, and attached exhibits shall not be released except as provided in

Chapter 70.02 RCW and Chapter 10.97 RCW. RCW 34.05.446(1) and WAC 246-11-400(2) and (5).

Dated this 28 day of January, 2014.

*Mark Monwai*

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MARK MONWAI, N.D.  
Panel Chair

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