



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Heidi A. Breitbeil
Master Case No.: M2013-521
Document: Stipulation to Informal Disposition

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
BOARD OF NATUROPATHY

In the Matter of

HEIDI A. BREITBEIL
Credential No. NATU.NT.00000813

Respondent

No. M2013-521

**STIPULATION TO INFORMAL
DISPOSITION**

1. STIPULATION

1.1 The Executive Director of the Board of Naturopathy (Board), on designation by the Board, has made the following allegations.

- A. On September 18, 1997, the state of Washington issued Respondent a credential to practice as a naturopathic physician. Respondent's credential is currently active.
- B. A complaint was received by the Department of Health (Department) indicating the Respondent had signed prescriptions for controlled substances beyond the scope of authorized practice for a Naturopathic Physician in Washington State.
- C. Upon the Department's investigation and a review of patient records, Respondent had in fact authorized prescriptions far beyond her scope of practice. These drugs included, but were not limited to, Alprazolam, Lorazepam, Phentermine, Zolpidem Tartrate, Ambien, Hydrocodone, Ativan and Lyrica.
- D. On or about March 12, 2013, Respondent provided a response to the Department investigator, admitting she had misunderstood her scope of practice and rendered these prescriptions in error.

1.2 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 (Stipulation) shall not be construed as a finding of unprofessional conduct or inability to practice.



1.3 Respondent acknowledges that a finding of unprofessional conduct or inability to practice based on the above allegations, if proven, would constitute grounds for discipline under RCW 18.130.180(4), (7), (12), and WAC 246-836-210.

1.4 Respondent agrees that under RCW 18.130.172, any sanction as set forth in RCW 18.130.160, except subsections (1), (2), (6), and (8), may be imposed as part of this Stipulation, but the Respondent may agree to reimburse the disciplining authority the costs of investigation and processing the complaint up to an amount not exceeding one thousand dollars (\$1,000.00) per allegation.

1.5 The parties wish to resolve this matter by means of this Stipulation pursuant to RCW 18.130.172(1).

1.6 This Stipulation is of no force and effect and is not binding on the parties unless and until it is accepted by the Board.

1.7 This Stipulation is not formal disciplinary action. However, if the Board accepts this Stipulation, it will be reported to the National Practitioner Databank (45 CFR Part 60) and elsewhere as required by law. It is a public document and will be placed on the Department of Health's website and otherwise disseminated as required by the Public Records Act (Chap. 42.56 RCW).

1.8 The Board agrees to forgo further disciplinary proceedings concerning the allegations.

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

1.10 Respondent understands that a violation of this Stipulation, if proven, would constitute grounds for discipline under RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

2. COMPLIANCE WITH SANCTION RULES

2.1 The disciplining authority applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions. WAC 246-16-800(2)(c) requires the disciplining authority to impose terms based on a specific sanction schedule unless "the schedule does not adequately address the facts in a case."

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2.2 Respondent's alleged conduct falls in Tier A of the "Practice Below Standard of Care" schedule, WAC 246-16-810. The sanction range associated with that tier does adequately address the alleged facts of this case.

2.3 The disciplining authority considered the following mitigating factors:

- A. Awareness conduct was wrong.
- B. Lack of prior disciplinary history with the Department.

3. INFORMAL DISPOSITION

The parties agree to the following:

3.1 Respondent shall reimburse costs to the Board in the amount of one thousand dollars (\$1,000.00), which must be received by the Board within six (6) months of the effective date of this Stipulation. The reimbursement 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, Board of Naturopathy, at PO Box 1099, Olympia, WA 98507-1099. Credit or Debit cards can also be used for payment at the front counter of the Department of Health building at 111 Israel Road SE, Tumwater, WA 98501, during regular business hours.

3.2 Within six (6) months of the effective date of this Stipulation, Respondent shall complete a typed written report demonstrating knowledge of the prescriptive scope of practice laws for Naturopaths in Washington state and submit this written report to the Board for approval. Failure to successfully complete the report within the specified time for completion shall constitute a violation of this Stipulation.

3.3 The Board or its designee may collect and review Prescription Monitoring Reports that name Respondent as a prescriber, dispenser, or patient at any time. Prescription Monitoring Reports shall take place two (2) times a year for twelve (12) months from the effective date of this Stipulation. Respondent shall address to the satisfaction of the Board or its designee any concerns that the Board expresses about the Prescription Monitoring Reports.

3.4 Any documents required by this Stipulation shall be sent to Department of Health Compliance at PO Box 47873, Olympia, WA 98504-7873.

3.5 Respondent is responsible for all costs of complying with this Stipulation.

3.6 Respondent shall inform the Department of Health Office of Customer Service, in writing, of changes in Respondent's residential and/or business address

within thirty (30) days of the change. The mailing address for the Office of Customer Service is PO Box 47865, Olympia, WA 98504-7865.

3.7 The effective date of this Stipulation is the date the Adjudicative Clerk Office places the signed Stipulation into the U.S. mail. If required, Respondent shall not submit any fees or compliance documents until after the effective date of this Stipulation.

4. RESPONDENT'S ACCEPTANCE

I, HEIDI A. BREITBEIL, have read, understand and agree to this Stipulation. This Stipulation may be presented to the Board without my appearance. I understand that I will receive a signed copy if the Board accepts this Stipulation.

Heidi A. Breitbeil

HEIDI A. BREITBEIL
RESPONDENT

9/11/13

DATE

_____, WSBA #
ATTORNEY FOR RESPONDENT


DATE

5. BOARD ACCEPTANCE

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

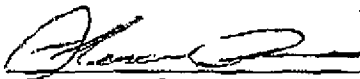
DATED: Nov-01, 2013

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
BOARD OF NATUROPATHY



PANEL CHAIR

PRESENTED BY:



ALEXANDER H. LEE, WSBA #35824
DEPARTMENT OF HEALTH STAFF ATTORNEY

9/27/13

DATE



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Heidi A. Breitbeil
Master Case No.: M2013-521
Document: Statement of Allegations

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.

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STATE OF WASHINGTON
DEPARTMENT OF HEALTH
BOARD OF NATUROPATHY

FILED

NOV 01 2013

Adjudicative Clerk Office

In the Matter of

No. M2013-521

HEIDI A. BREITBEIL
Credential No. NATU.NT.00000813

**STATEMENT OF ALLEGATIONS
AND SUMMARY OF EVIDENCE**

Respondent

The Executive Director of the Board of Naturopathy (Board), on designation by the Board, makes the allegations below, which are supported by evidence contained in case no. 2012-11439.

1. ALLEGED FACTS

1.1 On September 18, 1997, the state of Washington issued Respondent a credential to practice as a naturopathic physician. Respondent's credential is currently active.

1.2 A complaint was received by the Department of Health (Department) indicating the Respondent had signed prescriptions for controlled substances beyond the scope of authorized practice for a Naturopathic Physician in Washington State.

1.3 Upon the Department's investigation and a review of patient records, Respondent had in fact authorized prescriptions far beyond her scope of practice. These drugs included, but were not limited to, Alprazolam, Lorazepam, Phentemine, Zolpidem Tartrate, Ambien, Hydrocodone, Ativan, Trazodone, Lyrica, and Ezetimibe.

1.4 On or about March 12, 2013, Respondent provided a response to the Department investigator, admitting she had misunderstood her scope of practice and rendered these prescriptions in error.

2. SUMMARY OF EVIDENCE

2.1 Patient records.

2.2 Statement from Respondent.

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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(4), (7), (12), and WAC 246-836-210, which provide in part:

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

...

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

...

(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 of patient care or professional conduct or practice;

...

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

...

WAC 246-836-210 Authority to use, prescribe, dispense and order.

(1) Naturopathic medical practice includes the prescription, administration, dispensing, and use of:

(a) Nutrition and food science, physical modalities, minor office procedures, homeopathy, hygiene, and immunizations/vaccinations;

(b) Contraceptive devices;

(c) Nonlegend medicines including vitamins, minerals, botanical medicines, homeopathic medicines, and hormones;

(d) Legend drugs as defined under RCW 69.41.010 with the exception of Botulinum Toxin (commonly known as, among other names, Botox, Vistabel, Dysport, or Neurobloc) and inert substances used for cosmetic purposes; and

(e) Codeine and testosterone products that are contained within Schedules III, IV, and V in chapters 69.50 RCW and 246-887 WAC.

(2) In accordance with RCW 69.41.010(13), all prescriptions must be hand-printed, typewritten, or generated electronically.

(3) Prior to being allowed to administer, prescribe, dispense, or order controlled substances, a naturopathic physician must meet the requirements in WAC 246-836-211 and have obtained the appropriate registration issued by the Federal Drug Enforcement Administration.

(4) Naturopathic physicians may not treat malignancies except in collaboration with a practitioner licensed under chapter 18.57 or 18.71 RCW.

4. NOTICE TO RESPONDENT

4.1 The Board has determined that this case may be appropriate for resolution through a Stipulation to Informal Disposition (Stipulation) pursuant to RCW 18.130.172(2). A proposed Stipulation is attached, which contains the disposition the Board 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 is appropriate, Respondent should sign and date the Stipulation and return it within twenty-eight (28) days to the Department of Health Office of Legal Services at PO Box 47873, Olympia, WA 98504-7873.

4.3 If Respondent does not agree that the terms and conditions contained in the Stipulation are appropriate, Respondent should contact Alexander Lee, Department of Health Staff Attorney, PO Box 47873, Olympia, WA 98504-7873, (360) 236-4784 within twenty-eight (28) days.

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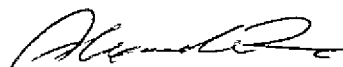
4.4 If Respondent does not respond within twenty-eight (28) days, the Board will assume Respondent has declined to resolve these allegations with an informal Stipulation and may proceed to formal disciplinary action against Respondent by filing a Statement of Charges pursuant to RCW 18.130.172(3).

4.5 If the parties cannot resolve the allegations with an informal Stipulation, the Board may proceed with a formal Statement of Charges.

DATED: July 24, 2013

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
BOARD OF NATUROPATHY

for 
CHRIS HUMBERSON
EXECUTIVE DIRECTOR


ALEXANDER H. LEE, WSBA #35824
DEPARTMENT OF HEALTH STAFF ATTORNEY