STATE OF WASHINGTON

DEPARTMENT OF HEALTH

Olympia, Washington 98504

RE: John S. Edwards, III, PA-C
Master Case No.: M2023-487
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
WASHINGTON MEDICAL COMMISSION

In the Matter of the License to Practice as a Physician Assistant of: **JOHN S. EDWARDS, III, PA-C** License No. PA.PA.61066250 Respondent.	**No. M2023-487** **STIPULATION TO INFORMAL DISPOSITION**

Pursuant to the Uniform Disciplinary Act, Chapter 18.130 RCW, the Washington Medical Commission (Commission) issued a Statement of Allegations and Summary of Evidence (Statement of Allegations) alleging the conduct described below. Respondent does not admit any of the allegations. This Stipulation to Informal Disposition (Stipulation) is not formal disciplinary action and shall not be construed as a finding of unprofessional conduct or inability to practice.

1. ALLEGATIONS

1.1 On May 29, 2020, the state of Washington issued Respondent a license to practice as a physician assistant Respondent's license is currently active.

1.2 On or about October 30, 2022, Patient A presented to Respondent for a strep swab. While Respondent was examining Patient A's throat, he asked an inappropriate question in reference to Patient A's tongue piercing.

2. STIPULATION

2.1 The Commission alleges that the conduct described above, if proven, would constitute a violation of RCW 18.130.180(4).

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

2.3 Respondent agrees to be bound by the terms and conditions of this Stipulation.

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

2.5 If the Commission accepts the Stipulation, it will be reported to the National Practitioner Data Bank (45 CFR Part 60), the Federation of State Medical Boards' Physician Data Center and elsewhere as required by law.

2.6 The Statement of Allegations and this Stipulation are public documents. They will be placed on the Department of Health web site, disseminated via the Commission's electronic mailing list, and disseminated according to the Uniform Disciplinary Act (Chapter 18.130 RCW). They are subject to disclosure under the Public Records Act, Chapter 42.56 RCW, and shall remain part of Respondent's file according to the state's records retention law and cannot be expunged.

2.7 The Commission agrees to forgo further disciplinary proceedings concerning the allegations.

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

2.9 Respondent may benefit from completing a compliance orientation to discuss completing the sanctions in this Stipulation. To arrange an orientation Respondent should contact the Compliance Unit at the Commission by calling (360) 236-2781, or by sending an email to: Medical.compliance@wmc.wa.gov.

2.10 A violation of the provisions of Section 3 of this Stipulation, if proved, would constitute grounds for discipline under RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

3. INFORMAL DISPOSITION

The Commission and Respondent stipulate to the following terms:

3.1 **Boundaries and Ethics Course.** Respondent must attend and successfully complete a boundaries and ethics course, pre-approved by the Commission. The Professional Boundaries and Ethics Course offered by Professional Boundaries, Inc. (PBI) is pre-approved. Respondent must ensure PBI provides the Commission with an Accomplishments, Impressions, and Recommendations (AIR) letter to supplement the PBI course completion certificate. Information about the course can be found at: https://pbieducation.com/courses/pb-24/. Respondent must complete the course within **six (6) months** of the effective date of this Stipulation. Respondent must provide the course instructors with a copy of this Stipulation prior to the course. Respondent must sign all necessary waivers to allow the Commission's compliance staff to communicate with the course instructors as needed. Respondent must submit proof of satisfactory completion of the course within **one (1) month** of completion to the following email address: Medical.compilance@wmc.wa.gov/. If the course requires

Respondent to complete a written report, Respondent will ensure that the Commission receives a copy of Respondent's written report. If the course instructors inform the Commission that Respondent did not pass or otherwise satisfactorily complete the course, the Commission may require Respondent to re-take the course.

3.2 **Paper.** Within thirty (30) days of completing the course required under paragraph 3.1 Respondent shall submit a typewritten paper of no less than one thousand (1,000) words describing what he learned from the course and how he will apply this information to his practice moving forward. If the Commission or its designee determines the content of the paper is not sufficient, then written feedback shall be provided to the Respondent and Respondent shall re-submit the paper for approval. Respondent should be prepared to discuss the subject matter of the written paper(s) with the Commission at the initial personal appearance. The paper must be submitted to the Commission in electronic format to the following email address: Medical.compliance@wmc.wa.gov.

3.3 **Personal Appearances.** Respondent must personally appear at a date and location determined by the Commission in approximately **twelve (12) months** after the effective date of this Stipulation, or as soon thereafter as the Commission's schedule permits. Thereafter, Respondent must make personal appearances annually or as frequently as the Commission requires unless the Commission waives the need for an appearance. Respondent must participate in a brief telephone call with the Commission's Compliance Unit prior to the appearance. The purpose of appearances is to provide meaningful oversight over Respondent's compliance with the requirements of this Stipulation. The Commission will provide reasonable notice of all scheduled appearances.

3.4 **Personal Reports.** Respondent must submit written personal reports directly to the Commission during the term of the Stipulation. Respondent must submit the first report within **thirty (30) days** from the effective of this Stipulation, and must submit a report every six (6) months thereafter unless the Commission determines that they should be submitted less frequently and Respondent is notified in writing. Personal reports must include a declaration attesting that Respondent is in compliance with all terms and conditions of this Stipulation, a status report regarding any terms and conditions not yet completed, current professional responsibilities and activities,

personal activities as they relate to practice as a physician assistant, and any ongoing efforts to implement improvements into Respondent's practice that may be relevant to the allegations outlined in this Stipulation.

3.5 **Cost Recovery**. Respondent must pay one thousand dollars ($1,000) to the Commission as partial reimbursement of some of the costs of investigating and processing this matter. Payment must be by certified or cashier's check made payable to the Department of Health and must be received within **ninety (90) days** of the effective date of this Stipulation. Respondent must send payment to:

Department of Health
Washington Medical Commission
P.O. Box 1099
Olympia, Washington 98507-1099

3.6 **Demographic Census.** Washington law requires physicians and physician assistants to complete a demographic census with their license renewal. RCW 18.71.080(1)(b) and 18.71A.020(4)(b). Respondent must submit a completed demographic census to the Commission within **thirty (30) days** of the effective date of this Informal Disposition, or at the time of renewal, whichever comes first. The demographic census can be found here: https://wmc.wa.gov/licensing/renewals/demographic-census.

3.7 **Self-Reporting.** Respondent shall report in writing, by email to medical.compliance@wmc.wa.gov, within **thirty (30) days** of the occurrence of any of the following events:

a. Entry into any formal or informal agreement or order or issuance of any order, letter of concern, or reprimand with or by any healthcare-related license for the Respondent in another state;

b. Denial, restriction, suspension or revocation of privileges for the Respondent in any healthcare facility;

c. Any felony or gross misdemeanor charge against the Respondent; and

d. The filing of a complaint in superior court or federal district court against Respondent alleging negligence or request for mediation pursuant to chapter 7.70 RCW.

This requirement supplements and does not supersede the reporting obligations imposed by WAC 246-16-230.

3.8 **Obey Laws.** Respondent must obey all federal, state and local laws and all administrative rules governing the practice of the profession in Washington.

3.9 **Costs.** Respondent must assume all costs that Respondent incurs in complying with this Stipulation.

3.10 **Violations.** If Respondent violates any provision of this Stipulation in any respect, the Commission may initiate further action against Respondent's license.

3.11 **Change of Address or Name.** Respondent must inform the Commission and the Adjudicative Clerk Office in writing of changes in Respondent's name and residential and/or business address within thirty (30) days of such change.

3.12 **Effective Date.** 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.

3.13 **Termination of Stipulation**. Respondent may petition the Commission in writing to terminate this Stipulation after **one (1) year** and completion of the required terms and conditions. The Commission has full discretion to grant or deny the petition, in full or in part, or modify the terms of the Stipulation if deemed necessary and appropriate. Upon written petition to terminate, Respondent shall appear in person before the Commission at a date and location designated by the Commission, unless otherwise waived by the Commission. If Respondent's petition is denied, Respondent may petition again annually or at an interval otherwise determined by the Commission.

4. COMPLIANCE WITH SANCTION RULES

4.1 The Commission applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions, including stipulations to informal disposition under RCW 18.130.172. Tier A of the "Practice Below Standard of Care" schedule, WAC 246-16-810, applies to cases where substandard practices caused no or minimal patient harm or a risk of minimal patient harm. Respondent's care for Patient A did not cause patient harm but represented a risk of minimal harm. Respondent's inappropriate question regarding the patient's tongue piercing had no legitimate health care purpose. . Making statements of this nature may breach patients' trust in the physician-patient relationship.

4.2 Tier A requires the imposition of sanctions ranging from zero (0) to three (3) years of oversight. Under WAC 246-16-800(3)(d), the starting point for the duration of the sanctions is the middle of the range. The Commission uses aggravating and mitigating factors to move towards the maximum or minimum ends of the range.

4.3 While the ultimate duration of this Stipulation is undetermined, giving the Commission the discretion to lengthen the period of oversight if protection of the public health and safety requires, it may be terminated after one (1) year. This places the duration potentially towards the shorter end of the sanction time range. Here, the Commission has identified Respondent's cooperation with the investigation as a mitigating factor. The Commission does not identify any aggravating factors.

4.4 The mitigating factor listed above justifies moving toward the lower end of the range. The sanction in this case includes a boundaries and ethics course, a paper, cost recovery of one thousand dollars ($1,000), appearances before the Commission, and other terms designed to protect the public.

5. RESPONDENT'S ACCEPTANCE

I, JOHN S. EDWARDS, III, PA-C, Respondent, certify that I have read this Stipulation in its entirety; that my counsel of record, if any, 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 Commission without my appearance. If the Commission accepts the Stipulation, I understand that I will receive a signed copy.

John S. Edwards, III, PAC — 15 NOV 2023

JOHN S. EDWARDS, III, PA-C
RESPONDENT — DATE

11/20/23

STEVEN LAMBERSON, WSBA NO. 12985
ATTORNEY FOR RESPONDENT — DATE

6. COMMISSION'S ACCEPTANCE

The Commission accepts this Stipulation. All parties shall be bound by its terms and conditions.

DATED: January 11, 2024

STATE OF WASHINGTON
WASHINGTON MEDICAL COMMISSION

T. Murphy MD

PANEL CHAIR

PRESENTED BY:

Colleen Balatbat

COLLEEN BALATBAT, WSBA NO. 48084
COMMISSION STAFF ATTORNEY