



August 1, 2020 – October 31, 2020

Below are summaries of interim and final actions taken by the Washington Medical Commission (WMC) that were reported to the Federation of State Medical Boards between August 1, 2020 and October 31, 2020. Statements of Charges, Notices of Decision on Application (with exceptions), Modifications to Orders (with exceptions), and Termination Orders are not listed. We encourage you to read the legal document for a description of the issues and findings. All legal definitions on the WMC [website](#).

Practitioner Credential and County	Order Type	Date	Cause of Action	Commission Action
Summary Actions				
Elloway, Simon MD00008970 Lewis	Ex Parte Order of Summary Action - Suspension	08/06/20	Alleged inability to practice with reasonable skill and safety due to a health condition.	Suspension – pending completion of proceedings.
Kaplan, Paul MD00012845 Out of State	Ex Parte Order of Summary Action - Suspension	10/15/20	Alleged negligent prescribing of controlled substances and suspension, revocation or restriction of Respondent’s license by the Medical Board of California.	Suspension – pending completion of proceedings.
Lu, Kang MD60257984 Out of State	Ex Parte Order of Summary Action - Suspension	10/23/20	Alleged misrepresentation in a license application and suspension, revocation or restriction of Respondent’s license by the Board of Medicine of Massachusetts.	Suspension – pending completion of proceedings.
Russell, Trent PA60257984 Clark	Ex Parte Order of Summary Action - Suspension	10/15/20	Alleged suspension, revocation or restriction of Respondent’s license by the Oregon Medical Board.	Suspension – pending completion of proceedings.
Shibley, Eric MD60578902 King	Ex Parte Order of Summary Action - Suspension	08/17/20	Alleged negligent prescribing of controlled substances and failure to comply with a WMC order.	Suspension – pending completion of proceedings.
Interim and Formal Actions				
Norton, Robert MD00024728 Thurston	Final Order - Waiver	09/08/20	Multiple negligent surgeries.	Practice restriction from performing surgery as the primary surgeon subject to later modification, clinical competency assessment, coursework, written research paper, personal appearances, and \$5,000 fine.
Olsson, Roger MD00015303 Snohomish	Final Order	10/20/20	Negligent administration of testosterone and hormones.	Practice restriction from prescribing opioids and hormones subject to later modification, clinical competency assessment, practice reviews, personal appearances, and \$10,000 fine, and termination no sooner than five years.

Patel, Vrajesh MD60654661 Snohomish	Agreed Order	10/2/20	Moral turpitude and criminal convictions.	Indefinite suspension subject to later modification and: post-incarceration multidisciplinary, clinical skills, and health monitoring program evaluations.
Informal Actions				
Banzer, John MD00044888 Kitsap	Informal Disposition	10/02/20	Alleged negligent management of a patient's ongoing myocardial infarction.	Treatment of emergent myocardial infarction coursework, written research paper, personal appearances, \$800 cost recovery, and termination no sooner than one year.
Dierks, Stephen MD00043204 Out of State	Informal Disposition	10/02/20	Alleged surrender of licenses in Massachusetts and New Hampshire, and failure to provide an explanatory statement as requested.	Voluntary surrender.
Fung, Brian MD60546384 King	Informal Disposition	07/16/20	Alleged negligent failure to admit and assess a patient with multiple risk factors for coronary artery disease.	Identifying risk factors for heart attack coursework, peer group presentation, personal appearances, \$1,000 cost recovery, and termination no sooner than one year.
Grimlund, Birgit MD00034118 King	Informal Disposition	08/21/20	Alleged negligent delayed diagnosis of breast cancer.	Management of breast disease coursework, written research paper, peer group presentation, personal appearances, \$1,000 cost recovery, and termination no sooner than one year.
Leppig, Kathleen MD00026782 King	Informal Disposition	08/20/20	Alleged negligent prescribing and failure to maintain patient records.	Ethics coursework, personal appearances, \$3,500 cost recovery, and termination no sooner than one year.
Macht, Marlow MD60342198 Clark	Informal Disposition	10/02/20	Alleged negligent failure to fully assess a patient.	Evaluating aortic abdominal aneurysms coursework, written research paper, peer group presentation, personal appearances, \$1,000 cost recovery, and termination no sooner than one year.
Meltzer, Richard MD00031769 Thurston	Modified Informal Disposition	08/20/20	Respondent retired while subject to compliance monitoring.	Voluntary surrender.
Murrell, Ben PA10004029 Grant	Informal Disposition	10/02/20	Alleged negligent benzodiazepine prescribing.	Controlled substance prescribing coursework, written research paper, utilization of PMP, personal appearances, \$500 cost recovery, and termination no sooner than one year.
Naiden, Norman MD00012935 Yakima	Informal Disposition	10/01/20	Alleged negligent natal delivery.	Voluntary surrender.
Nijenhuis, Elaine PA10003257 Snohomish	Informal Disposition	07/16/20	Alleged negligent failure to fully assess a patient.	Adnexal mass work-up coursework, written research paper, written policy for managing imaging and lab results, personal appearances, \$1,000 cost recovery, and termination no sooner than one year.

Samms, John MD00016833 Pierce	Informal Disposition	10/02/20	Alleged negligent opioid prescribing.	Permanent restriction from prescribing controlled substances, surrender of DEA registration, and \$1,000 cost recovery.
Shah, Niles MD60086328 King	Informal Disposition	10/02/20	Alleged negligent failure to fully assess a patient prior to performing surgery.	Parathyroid surgery coursework, written research paper, peer group presentation, personal appearances, \$900 cost recovery, and termination no sooner than one year.
Sutton, Gregory MD60610263 Out of State	Informal Disposition	10/01/20	Alleged dishonesty on a license application.	Voluntary surrender.
Trail, Jeffrey MD00026145 Spokane	Informal Disposition	08/21/20	Alleged negligent failure to fully assess a patient, to manage liver lesions, and inadequate communications and recordkeeping.	Ethics coursework, diagnosing and treating hepatocellular coursework, diagnosing and treating narcolepsy coursework, patient communications coursework, written research paper, personal appearances, \$1,000 cost recovery, and termination no sooner than two years.
Whitney, Nathaniel MD60539921 Spokane	Informal Disposition	10/02/20	Alleged wrong level surgery.	Reading MRI and X-ray imaging coursework, written research paper, peer group presentation, personal appearances, \$500 cost recovery, and termination no sooner than two years.
Zimmerman, Kevin MD60353667 Out of State	Informal Disposition	08/21/20	Alleged suspension, revocation or restriction of Respondent's license by the Medical Board of California and prescribing a controlled substance to oneself.	Compliance with the California Board order, entry into a health monitoring program prior to practicing in Washington State, psychotherapy reports, practice restriction, personal appearances, and \$2,000 cost recovery.

Stipulated Findings of Fact, Conclusions of Law, and Agreed Order: A settlement resolving a Statement of Charges, and containing an agreement by the licensee to comply with certain terms and conditions to protect the public.

Stipulated Findings of Fact, Conclusions of Law, and Final Order: An order issued after a formal hearing before the Commission imposing certain terms and conditions to protect the public.

Stipulation to Informal Disposition (STID): A settlement resolving a Statement of Allegations., and containing an agreement by the licensee to comply with certain terms and conditions to address the Commission's concerns.

Ex Parte Order of Summary Action: An order summarily restricting or suspending a licensee's practice of medicine. The licensee has an opportunity to defend against the allegations supporting the summary action.