



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Said Farzad, MD
Master Case No.: M2014-191
Document: Corrected Statement of Charges

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:

The identity of the complainant if the person is a consumer, health care provider, or employee, pursuant to RCW 43.70.075 (Identity of Whistleblower Protected) and/or the identity of a patient, pursuant to RCW 70.02.020 (Medical Records - Health Care Information Access and Disclosure)

Respondent's residential address, including street, city, and zip code and phone number pursuant to RCW 42.56.050, RCW 42.56.350(2)

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
MEDICAL QUALITY ASSURANCE COMMISSION

FILED

MAY 15 2014

In the Matter of the License to Practice
as a Physician and Surgeon of

SAID FARZAD, MD
License No. MD00044681

Respondent.

No. M2014-191

Adjudicative Clerk Office

**CORRECTED
STATEMENT OF CHARGES**

The Executive Director of the Medical Quality Assurance Commission (Commission) is authorized to make the allegations below, which are supported by the evidence contained in case numbers 2014-1587 and 2014-4046. The persons referred to in this Statement of Charges as Patients A and B are identified in the attached Confidential Schedule. The Statement of Charges served on May 9, 2014, contained two typographic errors. Paragraph 1.9 twice referred to "Patient A" but should have stated "Patient B." This pleading corrects those errors.

1. ALLEGED FACTS

1.1 On February 28, 2005, the state of Washington issued Respondent a license to practice as a physician. Respondent is not board-certified but has self-designated his practice specialties as Psychiatry and Child and Adolescent Psychiatry. Respondent's license is active.

Patient A

1.2 Respondent began treating Patient A, a 23-year-old woman, for psychiatric diagnoses at Comprehensive Life Resources, Tacoma, on or about November 6, 2012. Respondent prescribed Adderall and Xanax to Patient A without performing a risk-benefit analysis, despite Patient's A's history of substance abuse. Respondent continued to treat and prescribe medications to Patient A up until the time that he resigned at Comprehensive Life Resources on or about July 28, 2013.

1.3 Respondent committed a series of boundary violations with Patient A. In March 2013, Respondent gave Patient A \$300.00 for lodging. Additionally, the Respondent gave Patient A \$400.00 for school books, took her to lunch, accompanied her on shopping trips, and bought her clothes valued at approximately \$1,000.00.

1.4 During the course of their relationship, Respondent "friended" Patient A on the public social media site Facebook, and he exchanged personal text messages with her through October 20, 2013. Respondent also shared information about his personal life with Patient A. When Patient A informed the Respondent she was pregnant, the Respondent asked to be named godfather and he offered to raise her child if Patient A did not want to raise her child. The Respondent continued to pursue a social relationship with Patient A after her medical treatment had ended. Examples include: the Respondent made repeated personal text message inquiries about Patient A's pregnancy; Respondent continued to contact Patient A after she disclosed that she had been selling the medications Respondent had prescribed to her; and Respondent continued to contact Patient A after she told the Respondent that she loved him.

Patient B

1.5 Respondent was employed at a private health clinic as a child and adolescent psychiatrist between August 1, 2013 and October 9, 2013. Respondent was hired by and reported to the owner/clinic director. Despite their employment relationship, Respondent began treating Patient B, the clinic director's adolescent daughter, in a physician-patient relationship.

1.6 Respondent committed boundary violations during the time that he treated Patient B. Respondent had extensive social interactions with Patient B outside of their therapeutic relationship as Respondent frequently followed Patient B as she moved about the clinic while waiting for her mother to finish work. The Respondent routinely hugged Patient B when greeting and saying goodbye to her, including at the outset and at the conclusion of their therapy sessions. The Respondent repeatedly commented to Patient B that she was beautiful.

1.7 Respondent socialized with the clinical director and Patient B at their residence, and he invited the clinic director and Patient B to his home. Respondent later organized a trip to a park with Patient B without her mother present. Respondent then initiated a discussion with Patient B about her sexual habits while driving with Patient B in his car. Respondent also made inappropriate jokes containing sexual innuendo on two occasions, and he showed a video of belly dancing to Patient B.

1.8 In early October 2013, Respondent had several discussions with Patient B about her upcoming birthday. Respondent eventually told Patient B that he would give

her a \$100.00 gift certificate, but directed that she should not tell her mother that he was giving her money.

1.9 After Respondent was terminated at the clinic he made a retaliatory report against Patient B's parents to Child Protective Services that could have caused harm to Patient B by removing her from the custody of her parents.

1.10 Respondent acknowledges committing all or nearly all of the behaviors described above, but professes that he has done nothing wrong and denies that they constitute professional boundary violations. The Commission served a Statement of Allegations and Stipulation to Informal Disposition to Respondent based on the described behaviors, which he rejected. In email to the Commission, Respondent misstated the name of the staff attorney assigned to the case despite possessing documents that clearly identify the attorney; he characterized the Statement of Allegations as legal falsehoods produced by attorneys; and he argued that the behaviors described in the Statement of Allegations were lies and false accusations spread by other persons, even though he is a primary source of the information alleged to constitute violations.

1.11 Respondent's assertion that the allegations of misconduct are based on lies and falsehoods spread by others and his inability to comprehend that his admitted conduct constitutes professional boundary violations raises concerns that his poor personal and professional judgment results from some undiagnosed and/or untreated mental condition.

Molina HealthCare

1.12 Respondent made numerous calls to the Molina HealthCare (Molina) Prior Authorization Department located in Bothell, WA, between mid-April and early May 2014 regarding problems processing paperwork submitted for patient claims. Respondent would identify himself by name and provide his National Provider's Identification when making calls to Molina. Respondent's calls became progressively more abusive and aggressive.

1.13 On May 2, 2014, Respondent left a voice message calling Molina employees "bastards" and "idiots." Respondent went on to say that Molina's business will end and he threatened a lawsuit against Molina.

1.14 On May 5, 2014, Respondent placed four telephone calls to Molina employees. The employees' caller ID function identified all calls as coming from [REDACTED] Respondent's cell phone number. Respondent was frustrated regarding a medication denial for one of his patients. During the first call, Respondent became upset

after several minutes and asked the employee how he would feel if he came to the Molina office and "start shooting everyone." The employee hung up the phone.

1.15 Respondent immediately called Molina back at about 1530 hours and spoke with a different employee. Respondent identified himself and said that he was "homicidal." Respondent explained his frustrations with Molina and said that he wanted to murder everyone with machine guns.

1.16 After that call terminated, Respondent called back at about 1533 hours and talked to a third employee. Respondent told that employee that he would come to Molina with machine guns and shoot everyone.

1.17 After that call terminated, Respondent called back at about 1536 hours and talked to a fourth employee. Respondent repeatedly told that employee his intention to kill everyone. Respondent threatened, "I am five minutes away from Bothell and I will bomb you when I get there," "I have a gun, I want to shoot your director," and "I will kill everybody including that idiot [supervisor]."

1.18 The Bothell Police Department conducted an investigation and determined that there was probable cause to arrest Respondent on four counts of Telephone Harassment – Threat to Kill (class C felony) and one count of Threat to Bomb (class B felony). On May 6, 2014, Respondent was arrested at SeaMar Behavioral Health Clinic in Tacoma, after he completed his appointments. During questioning, Respondent claimed that he had only made one call to Molina and that he did not make any threats. Respondent's cell phone was searched and call data confirmed that he had made telephone calls to Molina on May 5, 2014, at the same times reported by Molina. Respondent was booked into jail on the four felony counts, and subsequently posted bail and was released.

2. ALLEGED VIOLATIONS

2.1 Based on the Alleged Facts, Respondent is unable to practice as a physician and surgeon with reasonable skill and safety by reason of a mental condition in violation of RCW 18.130.170(1), which provides:

**RCW 18.130.170 Capacity of license holder to practice--Hearing--
Mental or physical examination--Implied consent.**

(1) If the disciplinary authority believes a license holder or applicant may be unable to practice with reasonable skill and safety to consumers by reason of any mental or physical condition, a statement of charges in the name of

the disciplining authority shall be served on the license holder or applicant and notice shall also be issued providing an opportunity for a hearing. The hearing shall be limited to the sole issue of the capacity of the license holder or applicant to practice with reasonable skill and safety. If the disciplining authority determines that the license holder or applicant is unable to practice with reasonable skill and safety for one of the reasons stated in this subsection, the disciplining authority shall impose such sanctions under RCW 18.130.160 as is deemed necessary to protect the public.

2.2. The above violation provides grounds for imposing sanctions under RCW 18.130.160.

3. NOTICE TO RESPONDENT

The charges in this document affect the public health, safety and welfare. The Executive Director of the Commission directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to Commission action and the imposition of sanctions under Chapter 18.130 RCW.

DATED: May 14, 2014.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

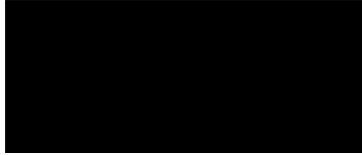
George Hays MD by Direction
MARYELLA JANSEN
EXECUTIVE DIRECTOR

Kristin G. Brewer
KRISTIN G. BREWER, WSBA #38494
ASSISTANT ATTORNEY GENERAL

CONFIDENTIAL SCHEDULE -- PATIENTS

This information is confidential and is NOT to be released without the consent of the individual or individuals named below. RCW 42.56.240(1)

Patient A



Patient B