Exhibit B

STATE OF WASHINGTON

DEPARTMENT OF HEALTH

Olympia, Washington 98504

RE: Eric R. Shibley, M.D.,
Master Case No.: M2018-443
Document: Summary Action Order

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
WASHINGTON MEDICAL COMMISSION

In the Matter of: **ERIC R. SHIBLEY, M.D.**, License No. MD.MD.60108064, Respondent.	Master Case No. M2018-443 EX PARTE ORDER OF SUMMARY SUSPENSION

COMMISSION PANEL: Alden Roberts, M.D., Chair
John Maldon, Public Member
Claire Trescott, M.D.

PRESIDING OFFICER: John F. Kuntz, Review Judge

This matter came before the Washington Medical Commission (Commission) on August 14, 2020, on an Ex Parte Motion for Summary Action (Ex Parte Motion) brought by the Office of the Attorney General. The Commission issued an Amended Statement of Charges alleging Respondent violated RCW 18.130.180(9). After reviewing the Amended Statement of Charges, Ex Parte Motion, and supporting evidence, the Commission GRANTS the Ex Parte Motion. Respondent's license to practice as a physician and surgeon is SUSPENDED pending further action.

I. FINDINGS OF FACT

1.1 Eric R. Shibley, M.D. (Respondent), is a physician and surgeon licensed by the state of Washington at all times applicable to this matter. Respondent's license is currently active, but RESTRICTED.

1.2 The Commission issued an Amended Statement of Charges alleging Respondent violated RCW 18.130.180(6) and (9) in addition to the charges alleged in the Statement of Charges. The Amended Statement of Charges was accompanied by all other documents required by WAC 246-11-250.

1.3 On January 2, 2020, the Commission issued a Statement of Charges alleging Respondent violated RCW 18.130.180(4), (7), and (13); WAC 246-919-853; 246-919-854; 246-919-855; 246-919-857; and 246-919-858. That same day, the Commission also issued an Order of Summary Restriction, which prohibited Respondent from prescribing controlled substances. Respondent filed an Answer to the Statement of Charges and filed a request for a Show Cause Hearing on January 3, 2020.

1.4 As set forth in the allegations in the Amended Statement of Charges, as well as the Ex Parte Motion, Respondent prescribed controlled substances on multiple occasions from January 2, 2020, to July 1, 2020, while under the Order of Summary Restriction. The controlled substances prescribed included buprenorphine-naloxone (Suboxone), methadone, hydromorphone, hydrocodone-acetaminophen, oxycodone, oxycodone-acetaminophen, tramadol, diazepam, alprazolam, clonazepam, lorazepam, zaleplon, dextroamphetamine-amphetamine, and phentermine.

1.5 The Commission's January 2, 2020 Order of Summary Restriction demonstrated Respondent's substandard care of patients with regard to his prescribing of controlled substances posed an immediate risk to patients and the public welfare. Because Respondent has continued to prescribe controlled substances in direct violation of the Commission's Order, he remains an imminent threat to public safety. Moreover,

due to Respondent's blatant disregard for the Commission's Order, there is no action the Commission can take short of immediate suspension of Respondent's license to ensure protection of the public.

1.6 The above allegations, supported by the Declaration of Health Care Investigator in Support of Motion for Summary Action together with the attached exhibits, justify the determination of immediate danger in this case and a decision to immediately suspend the credential until a hearing on the matter is held.

II. CONCLUSIONS OF LAW

2.1 The Commission has jurisdiction over Respondent's credential to practice as a physician and surgeon. RCW 18.130.040.

2.2 The Commission 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 and safety unless Respondent's license is suspended. The Findings of Fact establish that the requested summary action is necessary and adequately addresses the danger to the public health and safety.

III. ORDER

3.1 Based on the Findings of Fact and the Conclusions of Law, it is ORDERED that Respondent's license to practice as a physician and surgeon is SUMMARILY SUSPENDED pending further disciplinary proceedings by the Commission. Respondent

shall immediately deliver all licenses, (including wall, display, and/or wallet, if any), to the Commission. The prior Order of Summary Restriction is superseded.

3.2 It is HEREBY ORDERED that a protective order in this case is GRANTED. RCW 34.05.446(1) and WAC 246-11-400(2) and (5). This Protective Order prohibits the release of health care information outside of these proceedings. Unless required by law, anyone involved in these proceedings must keep confidential and not disclose health care information obtained through these proceedings. Health care information includes information in any form "that identifies or can readily be associated with the identity of a patient and directly relates to the patient's health care." RCW 70.02.010(16). The parties may share the information with their attorney, if any.

DATED this 17 day of August, 2020.

Washington Medical Commission

ALDEN ROBERTS, M.D.
Panel Chair

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