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**Credential Information for:** Bowers, Marci Lee

Credential	Credential Type	First Issue Date	Last Issue Date	Expiration Date	Credential Status	Enforcement Action

MD00027147 Physician And Surgeon License 03/05/1990 01/02/2014 01/18/2016 ACTIVE Yes

Master Case Document Type

M1999-57360 <u>Informal Disposition</u>

M1999-57360 Stmt of Allegations

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# STATE OF WASHINGTON DEPARTMENT OF HEALTH Olympia, Washington 98504

RE: Marci Lee Bowers

Docket No.: 99-04-A-1055MD

Document: Statement of Allegations

Regarding your request for information about the above-named practitioner, 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:

Adjudicative Clerk Office P.O. Box 47879 Olympia, WA 98504-7879 Phone: (360) 236-4677

Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to Nancy Ellison, Deputy Secretary, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

# STATE OF WASHINGTON DEPARTMENT OF HEALTH MEDICAL QUALITY ASSURANCE COMMISSION

In the Matter of the License to Practice as a	) .
Physician and Surgeon of	) Docket No. 99-04-A-1055MD
	)
MARCI LEE BOWERS, M.D.	) STATEMENT OF ALLEGATIONS
License No. 27147	) AND SUMMARY OF EVIDENCE
	)
Respondent.	)
	)

The Program Manager, on designation by the Commission, makes the allegations below, which are supported by evidence contained in program case file No. 98-12-0051MD. Any patient referred to in this Statement of Allegations and Summary of Evidence is identified in an attached Confidential Schedule.

#### **Section 1: ALLEGED FACTS**

- 1.1 Marci Lee Bowers, M.D., Respondent, was issued a license to practice as a physician and surgeon by the State of Washington in March, 1990.
- 1.2 In the course of bilateral salpingo-oophorectomy surgery on the patient previously identified on a confidential schedule) on or about August 6, 1997, the Respondent negligently sutured a minute portion of small bowel while closing the fascial layer of the wound, resulting in peritonitis.
- 1.3 Despite the patient demonstrating possible complications post-operatively, the Respondent did not respond in a timely manner. A general surgeon reoperated on the patient on the ninth post-operative day.



1.4 The patient required further surgery and suffered a delayed recovery as a result of the complication.

### **Section 2: SUMMARY OF EVIDENCE**

- 2.1 Respondent's medical record of the Patient.
- 2.2 The patient's operative report, history and physical, progress notes and discharge summary from Providence Medical Center, Seattle, Washington..
- 2.3 Payment report from Physicians Insurance Exchange to the National Practitioner Data Bank dated December 10, 1998
- 2.4 Respondent's letter to Department of Health Investigator Tim Slavin dated January 29, 1999.

### **Section 3: ALLEGED VIOLATIONS**

- 3.1 The facts alleged in paragraphs 1.1 through 1.4 above, if proven, would constitute unprofessional conduct in violation of RCW 18.130.180 (4) which provides in part:
  - RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any licensee or applicant 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. . . .;

#### **Section 4: NOTICE TO RESPONDENT**

4.1 The Commission has determined that this case may be appropriate for resolution through a Stipulation to Informal Disposition, pursuant to RCW 18.130.172(2). A proposed Stipulation to Informal Disposition is attached, which contains the disposition the Commission 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 to Informal Disposition is appropriate to address the conduct alleged in this Statement of Allegations and Summary of Evidence, Respondent should sign and date the Stipulation to Informal Disposition and return it within 20 days to Casandra Batdorf, Dept. of Health, P. O. Box 47866, Olympia, WA 98504-7866.
- 4.3 If Respondent does not agree that the terms and conditions contained in the Stipulation to Informal Disposition are appropriate to address the conduct alleged in the Statement of Allegations and Summary of Evidence, Respondent should contact Marcia G. Stickler, Staff Attorney, Department of Health Staff Attorney, Department of Health, Medical Quality Assurance Commission, 1300 SE Quince, Olympia, WA 98504-7866 at (360) 664-2252 within 10 days.
- 4.4 If Respondent does not respond within 20 days, the Commission will assume Respondent has declined to resolve the allegations by means of a Stipulation to Informal Disposition.
- In the event Respondent declines to resolve the allegations by means of a Stipulation to Informal Disposition pursuant to RCW 18.130.172(2), the Commission may proceed to formal disciplinary action against Respondent by filing a statement of charges, pursuant to RCW 18.130.172(3).
- 4.6 The cover letter enclosed with this Statement of Allegations and Summary of Evidence was mailed to the name and address currently on file for Respondent's license.



Pursuant to WAC 246-01-100, Respondent must notify, in writing, the Commission if Respondent's name and/or address changes.

DATED this 28th day of april, 1999.

STATE OF WASHINGTON DEPARTMENT OF HEALTH MEDICAL QUALITY ASSURANCE COMMISSION

Program Manager

Mayelle E. Jonsen

Marcia G. Stickler, WSBA # 20712
Department of Health Staff Attorney

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Program No. 98-12-0051MD



# STATE OF WASHINGTON DEPARTMENT OF HEALTH Olympia, Washington 98504

RE: Marci Lee Bowers

Docket No.: 99-04-A-1055MD

Document: Stipulation to Informal Disposition

Regarding your request for information about the above-named practitioner, 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:

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# STATE OF WASHINGTON DEPARTMENT OF HEALTH MEDICAL QUALITY ASSURANCE COMMISSION

In the Matter of the License to Practice as a Physician and Surgeon of		Docket No. 99-04-A-1055MD		
MARCI LEE BOWERS, M.D., License No.27147		STIPULATION TO INFORMAL DISPOSITION		
Respondent.	)			

#### **Section 1: STIPULATION**

The parties to the above-entitled matter stipulate as follows:

- 1.1 Marci Lee Bowers, M.D., Respondent, is informed and understands that the Program Manager, on designation by the Commission, has made the following allegations:
- 1.1.1 In the course of bilateral salpingo-oophorectomy surgery on the patient (previously identified on a confidential schedule) on or about August 6, 1997, the Respondent negligently sutured a minute portion of small bowel while closing the fascial layer of the wound, resulting in peritonitis.
- 1.1.2 Despite the patient demonstrating possible complications post-operatively, the Respondent did not respond in a timely manner. A general surgeon reoperated on the patient on the ninth post-operative day.
  - 1.1.3 The patient required further surgery and suffered a delayed recovery as a result of the complication.
- 1.2 Respondent is informed and understands that the Commission has alleged that the conduct described above, if proven, would constitute a violation of RCW 18.130.180 (4).



- 1.3 The parties wish to resolve this matter by means of a Stipulation to Informal Disposition pursuant to RCW 18.130.172(1).
- 1.4 Respondent agrees to be bound by the terms and conditions of the Stipulation to Informal Disposition.
- 1.5 This Stipulation to Informal Disposition is of no force and effect and is not binding on the parties unless and until this Stipulation to Informal Disposition is accepted by the Commission.
- 1.6 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 shall not be construed as a finding of unprofessional conduct or inability to practice.
- 1.7 This Stipulation to Informal Disposition is not formal disciplinary action. It is not subject to the reporting requirements of RCW 18.130.110 or any interstate/national reporting requirement.
- This Stipulation to Informal Disposition is releasable to the public upon request pursuant to the Public Records Act, chapter 42.17 RCW. The Statement of Allegations and Summary of Evidence and the Stipulation to Informal Disposition shall remain part of Respondent's file and cannot be expunged.
- 1.9 The Commission agrees to forego further disciplinary proceedings concerning the allegations contained in sections 1.1 and 1.2 above.
- 1.10 Respondent agrees to successfully complete the terms and conditions of this informal disposition.
- 1.11 Respondent is advised and understands that a violation of the provisions of section 2 of this Stipulation to Informal Disposition, if proved, would constitute grounds for discipline under



parties unless and until this Stipulation to Informal Disposition is accepted by the Commission.

1.12 This Stipulation to Informal Disposition is not formal disciplinary action, is not intended and should not be construed as an action which "revokes or suspends (or otherwise restricts) a physician's license or censures or reprimands, or places on probation" as those words are used in Sec. 422 of the Health Care Quality Improvement Act of 1986, 42 USC 11132 and is therefore not subject to any reporting requirements to the National Practitioner Data Bank, or under RCW 18.130.110 or any interstate/national reporting requirement.

1.13 Respondent is advised and understands that a violation of the provisions of section 2 of this Stipulation to Informal Disposition, if proved, would constitute grounds for discipline under RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

#### Section 2: INFORMAL DISPOSITION

Pursuant to RCW 18.130.172 (2) and based upon the foregoing stipulation, the parties agree to the following Informal Disposition. The Respondent's license to practice medicine is subject to the following terms and conditions for a period of TWO YEARS. After two years and upon successful completion of the requirements in this section, the terms and conditions herein shall automatically expire.

2.1 Respondent shall submit a plan of continuing medical education (CME) in the area of general surgical complications and post-operative care to the Commission's designee for approval. The exact number of hours and the specific content of the course or courses constituting such program shall be determined by the Commission's designee and shall total not



less than TWELVE (12) credit hours of Category I continuing medical education as described in WAC 246-917-170. This program shall be in addition to the Continuing Education requirement for relicensure. Questions concerning the specific course or courses shall be directed to the Commission's designee. Such CME plan shall be approved by the Medical Consultant, implemented and completed within ONE YEAR (1) of the effective date of this Informal Disposition.

2.2 The Respondent shall see to it that all care delivered to her patients falls within acceptable standards of medical practice. The Respondent shall obey all federal, state, and local
laws and all administrative rules governing the practice of medicine in Washington.

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I, Marci Lee Bowers, M.D., Respondent, certify that I have read this Stipulation to Informal Disposition 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 to Informal Disposition, I understand that I will receive a signed copy.

Marci Lee Bowers, M.D.

Respondent

6/3·/95

## **Section 3: ACCEPTANCE**

The Commission accepts this Stipulation to Informal Disposition. All parties shall be

bound by its terms and conditions.

DATED this State day of July ,199 9

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

Panel Chair

Presented by:

Marcia G. Stickler, WSBA # 20712 Department of Health Staff Attorney

July 7, 1999

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