



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Howard J. Levine, M.D.,
Docket No.: 07-03-A-1081MD
Document: Ex Parte Order of Summary Suspension

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:

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 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:

HOWARD J. LEVINE, M.D.,
Credential No. MD00019774,

Respondent.

Docket No. 07-03-A-1081MD

EX PARTE ORDER OF
SUMMARY SUSPENSION

PRESIDING OFFICER: Jerry Mitchell, Health Law Judge

COMMISSION PANEL: Ellen Harder, PA-C, Chair
Rogelio Ruvalcaba, M.D.
Samuel Selinger, M.D.

This matter came before the Presiding Officer, Health Law Judge Jerry Mitchell, on delegation from the Medical Quality Assurance Commission (Commission), on June 29, 2007, on a Motion for Order of Summary Suspension brought by the Commission through the Office of the Attorney General. The Program issued a Statement of Charges alleging Respondent violated RCW 18.130.180(1), (4), (6), (7), (9), (13), and WAC 246-919-610. The Commission, after reviewing the Statement of Charges, Motion, and supporting evidence, grants the motion. LICENSE SUSPENDED pending further action.

I. FINDINGS OF FACT

1.1 Howard J. Levine (Respondent) is a physician, credentialed by the State of Washington at all times applicable to this matter.

1.2 The Commission issued a Statement of Charges alleging Respondent violated RCW 18.130.180(1), (4), (6), (7), (9), (13), and WAC 246-919-610. The

Statement of Charges was accompanied by all other documents required by WAC 246-10-201.

1.3 As set forth in the allegations in the Statement of Charges, as well as the motion for summary action, Respondent has been charged with multiple violations of the Uniform Disciplinary Act over the last ten (10) years. Past cases have involved physical and medical abuse of patients, illegal prescribing of drugs over the Internet, felony extortion and wire fraud, and failure to comply with past orders. Respondent was arrested and charged in federal court on June 26, 2007, with illegal distribution of controlled substances.

1.4 The present charges involve a repetition of Respondent's past pattern of illegal conduct. Respondent illegally prescribed controlled substances to individuals who are not patients. These persons were never examined, and no records were created. The patients, in some cases federal agents working undercover, were offered controlled substances for resale on the black market, an intended misuse. Respondent obtained these drugs from distributors under false pretenses, and did not show any intention of dispensing or prescribing them for legitimate medical purposes.

1.5 If these drugs found their way into the black market, they have the potential to cause severe injury. Respondent not only prescribed drugs with knowledge they would not be used for a legitimate medical purpose, he conspired to do so with others. Respondent's misconduct shows intent to harm or to risk harm to the public. There is also evidence of Respondent's cavalier disregard of the laws and rules governing the practice of medicine. Respondent's long history of illegal, unethical,

unprofessional, and abusive conduct indicates he is unlikely to adhere to any reasonable restrictions or limitations. Furthermore, Respondent's continued practice exposes the public to harm or injury in the future, in violation of the law and policy of the State of Washington.

1.6 The declaration(s) of Mitchell Anderson, together with the attached exhibits, establish that there is a risk of immediate danger to the public health, safety, or welfare.

II. CONCLUSIONS OF LAW

2.1 The Commission has jurisdiction over Respondent's credential to practice as a physician. 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(7); and WAC 246-10-301.

2.3 The Findings of Fact establish the existence of an immediate danger to the public health, safety, or welfare if Respondent has an unrestricted credential. The Findings of Fact establish that the requested summary action is necessary, and adequately addresses the danger to the public health, safety, or welfare.

III. ORDER

Based on the Findings of Fact and Conclusions of Law, it is ORDERED that Respondent's credential to practice as a physician is SUMMARILY SUSPENDED

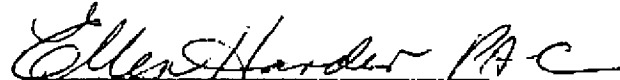
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pending further disciplinary proceedings by the Commission. Respondent shall immediately deliver all licenses, including wall, display, and/or wallet, if any, to the Program.

Dated this 29 day of June, 2007.


ELLEN HARDER, PA-C
Panel Chair

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PROGRAM NO. 2008-11-0014