

RECEIVED
MAY 18 2020
IOWA BOARD OF PHARMACY

BEFORE THE IOWA BOARD OF PHARMACY

<p>RE: Application for CSA Registration of</p> <p>PATRICK KIN-YEE CHAU, MD, Applicant</p>	<p>REGISTRATION BY CONSENT AGREEMENT</p>
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COME NOW the Iowa Board of Pharmacy ("Board") and Dr. Patrick Kin-Yee Chau, MD ("Applicant"), 3549 Southern Hills Dr, Sioux City IA 51106, and enter into this Registration by Consent Agreement, pursuant to Iowa Code sections 17A.10 and 17A.18 (2020). The Board has jurisdiction over Applicant and the subject matter of this case pursuant to Iowa Code chapters 17A, 124, and 272C, and 657 IAC chapter 10.

A. LEGAL GROUNDS

1. The Board has the authority to deny a CSA registration if the applicant has been subject to discipline by the applicant's respective professional licensing board and the discipline revokes or suspends the applicant's professional license or otherwise disciplines the applicant's professional license in a way that restricts the applicant's authority to handle or prescribe controlled substances. 657 IAC 10.10(1)"e".

2. The Board has the authority to deny a CSA registration if the applicant has furnished false or fraudulent information. 657 IAC 10.10(1)"a".

B. FACTUAL CIRCUMSTANCES

3. On February 24, 2020, the Board received a CSA registration application from Applicant.

4. As part of the application, Applicant marked no in response to a question asking all new applicants to disclose whether they have had their professional license revoked, suspended, or otherwise disciplined.

5. In 2006, Applicant's Washington medical license was summarily suspended and then placed on probation for violations related to the prescribing of controlled substances. In 2007, Applicant surrendered his California medical license. In 2008, Applicant's Washington medical license was summarily restricted and then placed on indefinite probation for violations related to the prescribing of controlled substances. In 2012, Applicant violated his probation in Washington. Applicant remained on probation in Washington until November of 2017.

6. On February 13, 2020, the Iowa Board of Medicine granted Applicant an Iowa medical license and issued a citation and warning based on his prior discipline in Washington.

C. REGISTRATION BY CONSENT

7. Applicant admits the allegations in the Factual Circumstances and acknowledges that the allegations, if proven in a contested case hearing concerning registration denial, would constitute grounds for the adverse action agreed to in this Agreement.

8. Execution of this Agreement constitutes the resolution of a contested case. Applicant has a right to hearing before the Board on the grounds for registration denial, but Applicant waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's action, by freely and voluntarily entering into this Agreement. Once entered, this Agreement shall have the force and effect of a Board Order entered following a contested case hearing concerning registration denial.

9. Applicant acknowledges that he has the right to be represented by counsel on this matter.

10. This Agreement is subject to approval by a majority of the full Board. If the Board does not approve this Agreement, it shall be of no force or effect to either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Agreement, it shall be the full and final resolution of this matter.

11. This Agreement shall be part of Applicant's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

12. Applicant understands that this Agreement constitutes adverse action and that the Board is required by federal law to report any adverse action to the National Practitioner Data Bank.

13. This Agreement, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

14. The Board's approval of this Agreement shall constitute a **FINAL ORDER** of the Board.

IT IS THEREFORE ORDERED:

15. Applicant shall be issued an Iowa CSA registration.

16. Applicant is hereby **CITED** for his prior disciplinary actions and for failing to disclose those actions on his application and **WARNED** that future violations of the laws and rules governing CSA registrants can result in further disciplinary action.

17. Applicant shall pay a **CIVIL PENALTY** in the amount of one thousand dollars (\$1,000) within thirty (30) days of Board approval of this Agreement. The check shall be made payable to the "Treasurer of Iowa" and shall be deposited in the general fund. The civil penalty should be mailed to the Iowa Board of Pharmacy, Attn: Amanda Woltz, 400 SW 8th St, Ste E, Des Moines IA 50309.

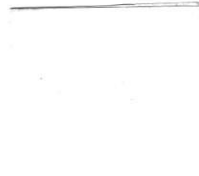
18. Should Applicant violate the terms of this Agreement, the Board may initiate action to impose licensee discipline as authorized by Iowa Code chapters 124 and 272C and 657 IAC chapter 10.

MAY 15th, 2020
Date

Patrick K. Chau MD
DR. PATRICK KIN-YEE CHAU, MD
Applicant

This Registration by Consent Agreement is approved by the Iowa Board of Pharmacy on _____, 2020.

Chairperson
Iowa Board of Pharmacy



CONTROLLED SUBSTANCES ACT REGISTRATION APPLICATION (Individual Practitioners)

Iowa Board of Pharmacy
 400 SW 8th St Ste E
 Des Moines, IA 50309-4688
 515-281-5944
<https://pharmacy.iowa.gov/>



- New
 Renewal
 Change (No Fee)
 Specify: Psychiatrist

RECEIVED
 FEB 24 2020
 IOWA BOARD OF PHARMACY

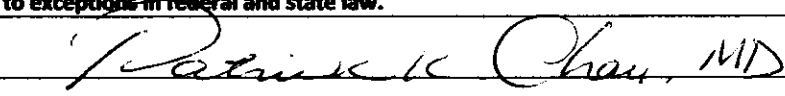
Registration/Renewal Fee: \$90

Additional penalty fee of \$90 imposed if renewed within 30 days after expiration

Total reactivation fee of \$360 imposed if renewed more than 30 days after expiration *See Section 10

Submit check or money order payable to Iowa Board of Pharmacy – DO NOT SEND CASH

Iowa CSA Registration #: <i>(New applicants leave blank)</i>		Expiration Date: <i>(MM/DD/YYYY)</i>	
2. REGISTRANT INFORMATION:			
Full Legal Name: (Last) Chau		(First) Patrick	(Middle) Kin-Yee
Social Security #: XXXXXXXXXX		Date of Birth: (MM/DD/YYYY) XXXX/XX/XX	
Gender: <i>(Optional)</i> <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		Previous/Other Name(s) Used: Kin-Yee Chau	
2. CONTACT INFORMATION: (REQUIRED) – Correspondence from the Board and reminders regarding registration renewal will be sent to the email address below.			
Email Address: XXXXXXXXXX@XXXX.XXX		Phone #: XXXX-XXXX-XXXX	<input type="checkbox"/> Work <input checked="" type="checkbox"/> Cell
3. IOWA PRACTICE OR BUSINESS ADDRESS: Location of office or other practice setting in Iowa – NOT PO Box			
Business Name: Dr. Dean and Associates		Street Address: 3549 Southern Hills Drive	
Address Line 2: <i>(Optional)</i>			
City: Sioux	State: IA	Zip Code: 51106	
County: Woodbury	Fax #: (712)2746744		
4. MAILING ADDRESS: (If different than practice or business address, include ZIP Code)			
Address: P O Box 5427		Address Line 2: <i>(Optional)</i>	
City: Sioux City		State: IA	Zip Code: 51102
5. LICENSE INFORMATION:			
Type of Practitioner: <input type="checkbox"/> ARNP <input type="checkbox"/> DDS <input type="checkbox"/> DO <input type="checkbox"/> DPM <input type="checkbox"/> DVM <input checked="" type="checkbox"/> MD <input type="checkbox"/> OD <input type="checkbox"/> PA <input type="checkbox"/> PSYCHOLOGIST <input type="checkbox"/> RESEARCHER		Iowa Professional License #: MD-47041 ✓	
License Expiration Date: <i>(MM/DD/YYYY)</i> 07/01/2020 ✓		Federal DEA #: <i>(New applicants leave blank unless you will be transferring an existing DEA # to Iowa)</i>	
DEA Expiration Date: <i>(MM/DD/YYYY)</i>			
6. PRESCRIPTION MONITORING PROGRAM (PMP) REGISTRATION: On July 1, 2018 the "Opioid Bill" (HF 2377) became effective requiring any prescriber (veterinarians and researchers excluded) with a CSA to obtain a user account with the Iowa PMP.			
<input checked="" type="checkbox"/> Yes, I am a registered user of the Iowa PMP.		<input type="checkbox"/> No, I am not a registered user of the Iowa PMP.	
If no, please explain: <input checked="" type="checkbox"/> I am a new CSA applicant awaiting issuance of my federal DEA registration.		<input type="checkbox"/> I am a veterinarian or researcher and am exempt from PMP registration.	<input type="checkbox"/> I am in the process of reinstating my federal DEA registration.
Excluding veterinarians and researchers - If you answer no, once your application is processed, the status of your CSA will be pending until you obtain credentials to access the PMP. You can register for the PMP at iowa.pmpaware.net			
7. CONTROLLED SUBSTANCES: check the boxes in which you intend to handle (including prescribe) any controlled substances.			
<input type="checkbox"/> Schedule I <i>(Research Only)</i>		<input type="checkbox"/> Schedule II Nonnarcotic	
<input checked="" type="checkbox"/> Schedule II Narcotic	<input checked="" type="checkbox"/> Schedule III Narcotic	<input checked="" type="checkbox"/> Schedule IV	<input checked="" type="checkbox"/> Schedule V
<input checked="" type="checkbox"/> Schedule III Nonnarcotic			
Researchers must include a copy of their approved research protocol. Refer to https://pharmacy.iowa.gov/licensureregistration/controlled-substance-applications for description of drug schedules.			
ACTIVITIES: Check each action that you do or intend to do with controlled substances.			
<input checked="" type="checkbox"/> Prescribe	<input type="checkbox"/> Administer	<input type="checkbox"/> Dispense	

LOST OR STOLEN CONTROLLED SUBSTANCES:							
During the past two years have any controlled substances under your control or ownership been lost or stolen? if yes, indicate the number of incidents next to the applicable reason(s).						<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Break-In:	Armed Robbery:	Employee Pilferage:	Customer Theft:	Lost in Transit:	Other (explain in description):		
8. DISCIPLINARY ACTIONS <i>(New applicants must disclose all disciplinary actions described below.)</i>							
Since your last renewal have you had a professional license revoked, suspended, or otherwise disciplined?						<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
If yes, was the discipline related to controlled substances or does it limit your ability to prescribe, administer, or dispense controlled substances?						<input type="checkbox"/> YES	<input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Include a separate sheet listing the disciplinary action taken by any licensing authority and include documentation of any final disciplinary orders issued if not previously provided to this Board.						Attachment included:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A
Since your last renewal, have you surrendered (in lieu of disciplinary action) or had a CSA or DEA registration, revoked, suspended, disciplined, or denied?						<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Include a separate sheet providing a signed and dated explanation of each surrender, revocation, suspension, disciplinary sanction, or denial and include documentation of any final orders issued if not previously provided to this Board.						Attachment included:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A
Do you have any knowledge of any investigations, complaints, or charges pending before any licensing authority?						<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Include an explanation for any pending investigations, complaints, or charges.						Attachment included:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A
9. CRIMINAL HISTORY <i>(New applicants must provide a complete history.)</i>							
Since your last renewal have you been convicted of, or entered a plea of guilty, nolo contendere, or no contest to any crime related to prescription drugs, controlled substances, healthcare, or the practice of your profession, in any jurisdiction? You must include all misdemeanors and felonies, even if adjudication was withheld by the court so that you would not have a record of conviction. (For example, you must report if your conviction was expunged, you received a deferred judgment, or you received an executive pardon.)						<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Include a separate sheet of paper providing a signed and dated explanation of each conviction and attach court records of the conviction(s) if not previously provided to this Board.						Attachment included:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A
10. EXPIRED REGISTRATIONS - RENEWING MORE THAN 30 DAYS AFTER EXPIRATION <i>(If registration is renewed more than 30 days after expiration, skip to section 11. This question does not apply to new applicants.)</i>							
Since your registration expired, have you prescribed, administered, or dispensed controlled substances to patients in Iowa?						<input type="checkbox"/> YES	<input type="checkbox"/> NO
If yes, \$360 is due to reactivate your CSAR.				If no, \$90 is due to reactivate your CSAR.			
11. SIGNATURE							
I hereby swear or affirm under penalty of perjury that the information provided in this application is true and correct. I understand that failure to provide complete and truthful information may constitute grounds for denial, revocation, or other disciplinary sanctions against my registration. I understand that this application is a public record in accordance with Iowa Code chapter 22 and that application information is public information, subject to exceptions in federal and state law.							
Signature of Applicant:							
Date:		02 ~ 14 ~ 2020					
Printed Name:		Patrick Kin-Yee Chau, MD					

Any individual practitioner who administers or dispenses controlled substances at any location within Iowa other than the practice or business address shown above (except licensed hospitals) must obtain a separate registration for each such location.

Privacy Act Notice: Disclosure of your Social Security Number on this application is required by 42 U.S.C. § 666(a)(13) and Iowa Code chapters 252J, 261, and 272D. This number will be used in connection with the collection of child support obligations and debts owed to the State of Iowa; as an internal means to accurately identify registrants; and may be shared with taxing authorities as allowed by law, including Iowa Code § 421.18.



Fields of Opportunities

STATE OF IOWA

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

IOWA BOARD OF MEDICINE
KENT M. NEBEL, J.D., EXECUTIVE DIRECTOR

PRESS RELEASE
IOWA BOARD OF MEDICINE
(February 17, 2020)

Recently, the Iowa Board of Medicine took the following action:

Patrick Kin-Lee Chau, M.D., a 67-year-old physician who practices psychiatry in Vancouver, Washington, entered into a Consent Agreement with the Iowa Board on February 13, 2020. On May 25, 2006, the Washington Medical Quality Assurance Commission (Washington Commission) summarily suspended Dr. Chau's Washington medical license pending further investigation of allegations that Dr. Chau inappropriately prescribed amphetamine and/or methamphetamine for weight loss and/or depression, failed to properly monitor patients while on these medications, failed to maintain accurate medical records for these patients, and failed to conduct appropriate testing and evaluations, resulting in a substantial threat of harm to his patients. On November 8, 2006, the Washington Commission reinstated Dr. Chau's Washington medical license, and placed him on probation for a period of two years after finding that Dr. Chau's treatment of the patients at issue fell below the standard of care. On December 27, 2006, the Medical Board of California (California Board) filed an accusation based on the 2006 disciplinary action taken by the Washington Commission. On March 1, 2007, Dr. Chau and the California Board entered into a stipulated agreement whereby Dr. Chau surrendered his California medical license. On July 15, 2008, the Washington Commission found that an immediate danger to the public health, safety, or welfare existed if Dr. Chau's medical license remained unrestricted, and entered a summary order restricting Dr. Chau from prescribing any benzodiazepines, thyroid medications, or stimulants pending final resolution of the pending matter. On October 15, 2009, the Washington Commission found that Dr. Chau engaged in unprofessional conduct and violated the terms of his probation by prescribing large doses and large amounts of addicting medication, failed to obtain necessary medical records for his patients, failed to document patient pain complaints, failed to appropriately monitor his patients, and failed to produce records in response to the Washington Commission's investigation. The Washington Commission again placed Dr. Chau's medical license on probation indefinitely, until he completed the terms of his probation. On November 15, 2012, the Washington Commission found that Dr. Chau again engaged in unprofessional conduct and violated the terms of his probation by improperly prescribing medications and failing to record his treatment of two patients. The Washington Commission again placed Dr. Chau on probation. On November 3, 2017, Dr. Chau completed the terms of his probation. On February 13, 2020, the Iowa Board granted Dr. Chau a permanent Iowa medical license and issued him a Citation and Warning for failing to meet the minimum standard of care with respect to the care of his patients in Washington, as described above.

Roy A. Doorenbos, M.D., a 64-year-old Iowa-licensed physician who formerly practiced family medicine in Grinnell, Iowa, entered into a Settlement Agreement with the Board on February 6, 2020. On December 15, 2017, the Board filed a Statement of Charges alleging that Dr. Doorenbos engaged sexual misconduct in violation of the laws and rules governing the practice of medicine in Iowa when he engaged in inappropriate sexual contact with a female patient, who was also a family friend and was staying at his home, on multiple occasions in March 2017. On or about April 12, 2019, Dr. Doorenbos was found guilty of Assault with Intent to Commit Sexual Abuse and Assault. Dr. Doorenbos was sentenced to two years in prison. Under the terms of the February 6, 2020, Settlement Agreement, Dr. Doorenbos voluntarily surrendered his Iowa medical license, was issued a Citation and Warning and agreed to pay a \$10,000 civil penalty.

Nicky Shah, M.D., a 52-year-old Iowa-licensed physician who currently practices internal medicine in San Francisco, California, had a Statement of Charges filed against him by the Board on February 6, 2020. On April 3, 2013, Dr. Shah was ticketed for speeding in excess of 95 mph near Chico, California. Dr. Shah allegedly told the California Highway Patrol officer that he was on his way to a medical emergency when, in fact, he was just late for work. Dr. Shah subsequently submitted a letter to the District Attorney's Office requesting dismissal of the speeding ticket and Dr. Shah's letter allegedly contained fabricated information regarding the reported medical emergency on the day Dr. Shah was ticketed for speeding. On May 9, 2017, Dr. Shah was found guilty of one felony count of Offering False Evidence and one felony count of Preparing False Documentary Evidence. On September 28, 2017, Dr. Shah was sentenced to 36 months formal probation with terms and conditions. Dr. Shah has appealed the criminal convictions. A hearing is scheduled on April 10, 2020.

When appropriate, disciplinary actions are reported to the National Practitioner Data Bank, an electronic repository administered by the U.S. Health Resources and Services Administration to track adverse license actions.

CONSUMER COMPLAINTS: Consumers can submit complaints against physicians by clicking [HERE](#), visiting the Board's Website at www.medicalboard.iowa.gov, calling (515) 281-5847, or mail to 400 SW 8th Street, Suite C, Des Moines, IA 50309.

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE CONSENT AGREEMENT FOR

PATRICK KIN-YEE CHAU, M.D., APPLICANT

FILE No. 02-2020-0013

CONSENT AGREEMENT

COMES NOW the Iowa Board of Medicine (“Board”) and Patrick Kin-Yee Chau, M.D. (“Applicant”) on February 13, 2020, and enter into this Consent Agreement for the issuance of a permanent Iowa medical license subject to the following conditions:

1. Applicant is hereby granted Iowa license no. MD-47041.
2. On July 23, 2019, Applicant submitted an application for a permanent Iowa medical license.
3. **2006 Washington Discipline:** Applicant was issued a license to practice medicine in the State of Washington in 1992. Between March 2004 and July 2005, the Washington Medical Quality Assurance Commission (“Washington Commission”) received six complaints involving Respondent’s treatment of eight patients relating to patient care and improper prescribing. On May 25, 2006, the Washington Commission summarily suspended Applicant’s license pending further investigation on the grounds that Applicant inappropriately prescribed amphetamine and/or methamphetamine for weight loss and/or depression, failed to properly monitor patients while on these

medications, failed to maintain accurate medical records for these patients, and failed to conduct appropriate testing and evaluations, resulting in a substantial threat of harm to his patients. See Attachment A. On November 8, 2006, the Washington Commission reinstated Applicant's license, but placed Applicant on probation for a period of two years after finding that Applicant's treatment of the patients at issue in the complaints fell below the standard of care. See Attachment B.

4. **2009 Washington Discipline:** The Washington Commission received additional complaints about Applicant in 2008. On July 15, 2008, the Washington Commission found that an immediate danger to the public health, safety, or welfare existed if Applicant's medical license remained unrestricted, and entered a summary order restricting Applicant from prescribing any benzodiazepines, thyroid medications, or stimulants pending final resolution of those complaints. See Attachment C. On October 15, 2009, the Washington Commission found that Applicant engaged in unprofessional conduct and violated the terms of his probation by prescribing large doses and large amounts of addicting medication, failed to obtain necessary medical records for his patients, failed to document patient pain complaints, failed to appropriately monitor his patients, and failed to produce records in response to the Washington Commission's investigation. The Washington Commission again placed Applicant's license on probation indefinitely, until he completed the terms of his probation. See Attachment D.

5. **2012 Washington Discipline:** On November 15, 2012, the Washington Commission found that Applicant again engaged in unprofessional conduct and violated the terms of his probation by improperly prescribing medications and failing to record his treatment of two patients. The Washington Commission again placed Applicant's license

on probation. See Attachment E. On November 3, 2017, Applicant completed the terms of his probation. See Attachment F.

6. **California Discipline:** Applicant was issued a license to practice medicine in the State of California in 1990. On December 27, 2006, the Medical Board of California (“California Board”) filed an accusation based on the 2006 action by the Washington Commission. See Attachment G. On January 30, 2007, Applicant and the California Board entered into a stipulated agreement whereby Applicant surrendered his California medical license, see Attachment H, which the Board accepted as final on March 1, 2007, see Attachment I.

7. **CITATION AND WARNING:** Applicant is hereby **CITED** for failing to meet the minimum standard of care with respect to the care of his patients in Washington, as described above in paragraphs 3–5, and for the resulting discipline against his Washington and California medical licenses, as described above in paragraphs 3–6. Applicant is hereby **WARNED** that engaging in such conduct again may result in further disciplinary action against Applicant’s Iowa medical license.

8. Applicant voluntarily submits this Order to the Board for consideration.

9. Applicant agrees that the State’s counsel may present this Order to the Board for consideration.

10. By entering into this Order, Applicant understands that he has the right to legal counsel in this matter and waives any objections to the terms of this Order.

11. Applicant shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Iowa.

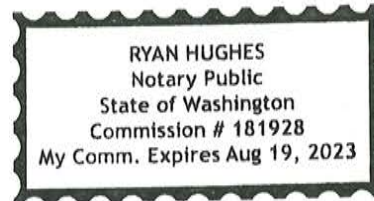
15. The Board's approval of this Order shall constitute a **Final Order** of the Board.

Patrick K. Chau, MD
Patrick Kin-Yee Chau, M.D., Applicant

Subscribed and sworn to before me on February 11th, 2020.

Notary Public, State of Washington

[Signature]
Notary Signature



This Consent Agreement is approved by the Board on February 13, 2020.

K. Ulveling MD
Kyle G. Ulveling (M.D.), Chair
Iowa Board of Medicine
400 S.W. 8th Street, Ste. C
Des Moines, IA 50309

Re: Controlled Substances Act Registration (CSAR) Pending Application - Chau

1 message

PATRICK CHAU <chau.dr@gmail.com>

Fri, Mar 13, 2020 at 1:21 PM

To: "Woltz, Amanda" <amanda.woltz@iowa.gov>

1) The entire wording of the question is: **Since Your last renewal have you have a professional license revoked, suspended, or otherwise disciplined? The key word was "since your last renewal" My last renewal of the Washington license was 4/30/2018; Wisconsin license was 10/31/2019; and the Iowa license was newly awarded 2/13/2020. All these 3 license are way after the termination of my Probation by the MQAC on 11/20/2017. So, when the question asked "since your last renewal" I can only answer "NO". 2) I was not being "disciplined" by the Iowa Board of Medicine but the document for granting me the full permanent license of Iowa included the history of Washington probation that the Iowa board reviewed and cleared for the issue of my initial license. Please know that Iowa has never disciplined me!**

Patrick Chau, M.D.

On Fri, Mar 13, 2020 at 6:38 AM Woltz, Amanda <amanda.woltz@iowa.gov> wrote:

Dear Dr. Chau,

The Board of Pharmacy has received your initial CSAR application. You answered "no" to the application question that asked whether you have had a professional license revoked, suspended, or otherwise disciplined. However, upon review of the application it was discovered that you have been disciplined by the Washington Medical Quality Assurance Commission and the Iowa Board of Medicine.

Please explain the disciplinary action and why it was not disclosed on your application. A response is needed by Wednesday, March 18.

Let me know if you have any questions.



Amanda Woltz, Administrative Assistant
Iowa Board of Pharmacy
400 SW 8th Street, Suite E
Des Moines, IA 50309-4688
515-281-6674 Office 515-729-2463 Cell
<https://pharmacy.iowa.gov/>