

SUMMARY STATEMENT

Pines v. Idaho State Board of Medicine, Docket No. 41972

The Idaho Board of Medicine instituted disciplinary proceedings against Richard Pines, a doctor of osteopathy, for having inappropriate sexual contact with four young adult men. Pines had induced the young men into the contact by falsely claiming that he needed to work on “practice patients” as a requirement for keeping his credentials. The Board found that all four of the young men were Pines’ patients and that Pines had violated statutes and regulations prohibiting inappropriate sexual contact with patients. Pines was stripped of his medical license and ordered to pay costs and attorney fees for the proceeding. Pines appealed to the Fourth District Court in Ada County, challenging the disciplinary action and the cost and fee award. The district court upheld the disciplinary action but vacated the award of costs and attorney fees. The Supreme Court ruled that the district court had erred in holding all of the young men to be Pines’ patients but found that only two of the young men were patients. The disciplinary action with regard to those two individuals was upheld. The case was remanded for further proceedings as to the magnitude of discipline and consideration of cost and attorney fee issues.