

BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF COLORADO

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE APPLICATION FOR REINSTATEMENT OF THE LICENSE TO
PRACTICE MEDICINE IN THE STATE OF COLORADO OF CHARLES S. ADLER, M.D.
LICENSE NO. 16419,

Respondent.

IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel A ("Panel") of
the Colorado State Board of Medical Examiners ("Board") and Charles S. Adler, M.D.
("Respondent") as follows:

JURISDICTION AND CASE HISTORY

1. Respondent was initially licensed to practice medicine in the state of Colorado on April 14, 1970 and was issued license no. 16419 which Respondent has held continuously since that date.
2. The Panel and the Board have jurisdiction over Respondent and over the subject matter of this proceeding.
3. On May 31, 1999, Respondent's license lapsed as provided in § 12-36-123(2)(b), C.R.S.
4. After Respondent's license had lapsed, agents from the United States Drug Enforcement Administration ("DEA") received information that Respondent had continued to prescribe for patient "L.K." The DEA agents came to Respondent's office where they observed a patient waiting to be seen. The DEA agents also admonished Respondent for not keeping controlled substances in a locked cabinet as is required by federal law.
5. On September 7, 2000, the Panel reviewed the above information, part of case no. 5100012780. The Panel found that the information disclosed facts which warranted proceeding by formal complaint, as provided in § 12-36-118(5), C.R.S. The Panel thereupon referred the matter to the Attorney General.
6. It is the intent of the parties and the purpose of this Stipulation and Final Agency Order ("Order") to provide for a settlement of all matters set forth in case no. 5100012780, without the necessity of holding a formal disciplinary hearing. This Order constitutes the entire

agreement between the parties, there are no other agreements or promises, written or oral, which modify, interpret, construe or affect this Order.

7. Respondent understands that:

a. Respondent has the right to be represented by an attorney of the Respondent's choice and is so represented;

b. Respondent has the right to a formal disciplinary hearing pursuant to § 12-36-118(5), C.R.S.

c. By entering into this Order, Respondent is knowingly and voluntarily giving up the right to a hearing, admits the facts contained in this Order, and relieves the Panel of its burden of proving such facts; and

d. Respondent is knowingly and voluntarily giving up the right to present a defense by oral and documentary evidence, and to cross-examine witnesses who would testify on behalf of the Panel.

8. Respondent specifically admits and agrees that he practiced medicine while his license was lapsed.

9. Respondent admits that the conduct set forth above constitutes unprofessional conduct as defined in § 12-36-117(1)(n), C.R.S.

10. Based upon the above, the Panel is authorized by § 12-36-118(5)(g)(III), C.R.S. to order disciplinary action.

LETTER OF ADMONITION

11. This Order shall constitute a letter of admonition as set forth in § 12-36-118(5)(g)(III), C.R.S. Respondent is hereby admonished for the conduct set forth in paragraphs 4, 8 and 9 set forth above.

REINSTATEMENT OF LICENSE

12. Upon the effective date of this agreement, Respondent's license shall be reinstated.

OTHER TERMS

13. The terms of this Order were mutually negotiated and determined.

14. Both parties acknowledge that they understand the legal consequences of this Order; both parties enter into this Order voluntarily; and both parties agree that no term or condition of this Order is unconscionable.

15. So that the Board may notify hospitals of this agreement pursuant to § 12-36-118(13), C.R.S., Respondent presently holds privileges at the following hospitals:

None.

16. This Order and all its terms shall have the same force and effect as an order entered after a formal disciplinary hearing pursuant to § 12-36-118(5)(g)(III), C.R.S. except that it may not be appealed. Failure to comply with the terms of this Order may be sanctioned by the Inquiry Panel as set forth in § 12-36-118(5)(g)(IV), C.R.S. This Order and all its terms also constitute a valid board order for purposes of § 12-36-117(1)(u), C.R.S.

17. This Order shall be admissible as evidence at any future hearing before the Board.

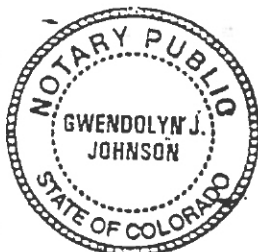
18. Invalidation of any portion of this Order by judgment or court order shall in no way affect any other provision, which provision shall remain in full force and effect.

19. This Order shall be effective upon approval by the Panel and signature by a Panel member. Respondent acknowledges that the Panel may choose not to accept the terms of this Order and that if the Order is not approved by the Panel and signed by a Panel member, it is void.

20. Upon becoming effective, this Order shall be open to public inspection and shall be reported as required by law.

Charles S. Adler, M.D.
CHARLES S. ADLER, M.D.

The foregoing was acknowledged before me this 15th day of September, 2000
by CHARLES S. ADLER, M.D.



My Commission Expires: July 28, 2004

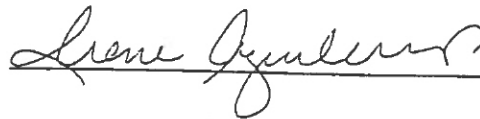
Gwendolyn J. Johnson
NOTARY PUBLIC

My commission expires _____

THE FOREGOING Stipulation and Final Agency Order is approved and effective this
12th day of Sept October, 2006.

FOR THE COLORADO STATE BOARD OF
MEDICAL EXAMINERS

INQUIRY PANEL A

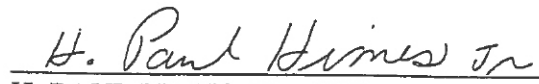



APPROVED AS TO FORM:

FOR THE RESPONDENT

FOR THE BOARD OF MEDICAL EXAMINERS

KEN SALAZAR
Attorney General


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BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF COLORADO

CASE NO. 2009-001461-A

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE LICENSE TO PRACTICE MEDICINE IN THE STATE OF COLORADO OF CHARLES S. ADLER, M.D., LICENSE NUMBER 16419.

Respondent.

IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel A ("Panel") of the Colorado State Board of Medical Examiners ("Board") and Charles S. Adler, M.D. ("Respondent") as follows:

1. The Board and Panel possess jurisdiction over Respondent and the subject matter of these proceedings.
2. Respondent was licensed to practice medicine in the state of Colorado on April 14, 1970, and was issued license number 16419, which Respondent has held continuously since that date.
3. On January 12, 2009, Respondent entered into an Interim Cessation of Practice Agreement ("Interim Agreement") in lieu of summary suspension which remains in effect until such time as a Final Board Order is issued in this case.
4. It is the intent of the parties and the purpose of this Stipulation and Final Agency Order ("Order") to provide for a settlement of all matters set forth in case number 2009-001461-A, without the necessity of holding a formal disciplinary hearing. This Order constitutes the entire agreement between the parties, and there are no other agreements or promises, written or oral, which modify, interpret, construe or affect this Order.
5. Respondent understands that:
 - a. Respondent has the right to be represented by an attorney of the Respondent's choice and is so represented in this matter;
 - b. Respondent has the right to a formal disciplinary hearing pursuant to section 12-36-118(5), C.R.S.;

- c. By entering into this Order, Respondent is knowingly and voluntarily giving up the right to a hearing, admits the facts contained in this Order, and relieves the Panel of its burden of proving such facts; and
- d. Respondent is knowingly and voluntarily giving up the right to present a defense by oral and documentary evidence, and to cross-examine witnesses who would testify on behalf of the Panel.

6. Respondent acknowledges that, if the Panel were to prove the following allegations at hearing, it would constitute a prima facie case of unprofessional conduct as defined in the Medical Practice Act, and would subject Respondent to discipline. Respondent denies the allegations. The Panel's allegations are as follows:

- a. Between 2003 and 2006, Respondent provided clinical psychiatric treatment to a patient.
- b. Respondent failed to maintain appropriate boundaries between himself and this patient during the course of the patient's treatment.
- c. Respondent admitted that during the course of his treatment of this patient, the Respondent gave the patient a handgun.

7. Respondent admits that the acts and/or omissions described in paragraph 6 above, if proven, would constitute unprofessional conduct pursuant to Section 12-36-117(1)(p) C.R.S., which states:

117(1) "Unprofessional conduct" as used in this article means:

(p) Any act or omission which fails to meet generally accepted standards of medical practice.

8. Based upon the above paragraphs 6 and 7, the Panel is authorized by Section 12-36-118(5)(g)(III), C.R.S. to order conditions upon Respondent's practice that it deems appropriate.

PERMANENT RELINQUISHMENT OF LICENSE

9 Commencing on the effective date of this Order, Respondent relinquishes his license and his right to practice medicine in the State of Colorado issued by the Board. Following relinquishment of Respondent's license, Respondent shall perform no act requiring a license issued by the Board, nor shall Respondent perform any act in any other location pursuant to the authority of a license to practice medicine granted by the state of Colorado.

10. Respondent agrees not to apply for reinstatement of his license, reactivation of his license, or to apply for a new license issued by the Board at any time in the future.

OTHER TERMS

11. The terms of this Order were mutually negotiated and determined.
12. Both parties acknowledge that they understand the legal consequences of this Order; both parties enter into this Order voluntarily; and both parties agree that no term or condition of this Order is unconscionable.
13. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent, and shall in no way be the obligation of the Board or Panel.
14. So that the Board may notify hospitals of this agreement pursuant to Section 12-36-118(13), C.R.S., Respondent presently holds privileges at the following hospitals:

None

15. This Order and all its terms shall have the same force and effect as an order entered after a formal hearing pursuant to section 12-36-118(5)(g)(III), C.R.S., except that it may not be appealed. This Order and all its terms also constitute a valid board order for purposes of Section 12-36-117(1)(u), C.R.S.
16. This Order shall be admissible as evidence at any future hearing before the Board.
17. During the pendency of any action arising out of this Order, the obligations of the parties shall be deemed to be in full force and effect and shall not be tolled.
18. This Order shall be effective upon approval by the Panel and signature by a Panel member. Respondent acknowledges that the Panel may choose not to accept the terms of this Order and that if the Order is not approved by the Panel and signed by a Panel member, it is void.
19. Upon becoming effective, this Order shall be open to public inspection and shall be publicized pursuant to the Board's policies and procedures. Additionally, this Order shall be reported to the Federation of State Medical Boards, the National Practitioner Data Bank/Healthcare Integrity and Protection Data Bank and as otherwise required by law.

Charles S. Adler, M.D.
Charles S. Adler, M.D.

The foregoing was acknowledged before me this 1st day of March, 2009 by
Charles S. Adler, M.D., in the County of Denver, State of Colorado.



Sharon K. Griffith
NOTARY PUBLIC

4-11-2011
My commission expires

THE FOREGOING Stipulation and Final Agency Order is approved and effective this
12 day of March, 2009.

FOR THE COLORADO STATE BOARD OF
MEDICAL EXAMINERS

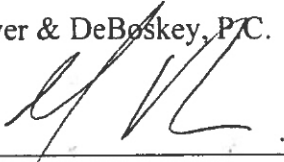
INQUIRY PANEL A

Jonnie L. Allen-Jane

APPROVED AS TO FORM

FOR RESPONDENT

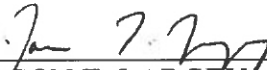
Silver & DeBoskey, P.C.



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BEFORE THE STATE BOARD OF MEDICAL EXAMINERS
STATE OF COLORADO
CASE NO. 2009-001461-A

INTERIM CESSATION OF PRACTICE AGREEMENT

IN THE MATTER OF THE LICENSE TO PRACTICE MEDICINE IN THE STATE OF
COLORADO OF CHARLES S. ADLER, M.D., LICENSE NUMBER 16419,

Respondent.

IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel A ("Panel") of the Colorado State Board of Medical Examiners ("Board") and Charles S. Adler, M.D. ("Respondent") as follows:

1. Respondent was licensed to practice medicine in the state of Colorado on April 14, 1970, and was issued license number 16419, which Respondent has held continuously since that date.
2. The Panel and the Board have jurisdiction over Respondent and over the subject matter of this proceeding.
3. On January 8, 2009, the Panel reviewed information relating to Board Case number 2009-001461-A and found that, based upon the information reviewed, the Panel had reasonable grounds to believe that the public health, safety, or welfare imperatively requires emergency action and/or that Respondent has deliberately and willfully violated the Colorado Medical Practice Act. Accordingly, the Panel voted to summarily suspend Respondent's license pursuant to section 24-4-104(4), C.R.S.
4. In lieu of summary suspension pursuant to section 24-4-104(4), C.R.S., the parties have agreed to enter this Interim Cessation of Practice Agreement ("Interim Agreement") pending further evaluation and investigation of Respondent's practice to determine what further actions, if any, are warranted. Any summary suspension is hereby stayed pursuant to the terms of this Interim Agreement.
5. Respondent agrees that he will not perform any act requiring a license issued by the Board while this Interim Agreement is in effect.
6. This Interim Agreement shall remain in effect until such time as the parties reach a final disposition of this case or, in the event additional summary suspension proceedings are initiated, until such time as an order for summary suspension enters.

7. The Panel agrees that it will not institute summary suspension proceedings while this Interim Agreement is in effect so long as the Respondent remains in compliance with this Interim Agreement and so long as the Panel does not learn of substantially new information that would indicate that summary suspension is warranted.

8. Nothing in this Interim Agreement shall constitute disciplinary action, a finding that Respondent has engaged in unprofessional conduct, or any admission by Respondent of unprofessional conduct. There have been no final determinations regarding Respondent's professional competence or professional conduct. Nothing in this Interim Agreement shall constitute final actions as defined in section 24-4-102(1), C.R.S.

9. Nothing in this Interim Agreement shall preclude the Panel from initiating disciplinary action pursuant to section 12-36-118, C.R.S., or issuing a Final Agency Order even while this Interim Agreement is in effect.

10. Respondent understands that Respondent has the right to be represented by counsel of Respondent's choice in this matter, and Respondent is represented by counsel in this matter.

11. The terms of this Interim Agreement were mutually negotiated and determined.

12. Both parties acknowledge that they understand the legal consequences of this Interim Agreement, both parties enter into this Interim Agreement voluntarily, and both parties agree that no term or condition of this Interim Agreement is unconscionable.

13. This Interim Agreement and all its terms constitute a valid board order for purposes of section 12-36-117(1)(u), C.R.S.

14. So that the Board may notify hospitals of this Interim Agreement, Respondent presently holds privileges at the following hospitals:

NONE

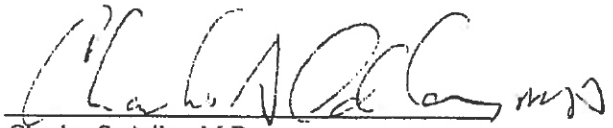
15. Invalidity of any portion of this Interim Agreement by judgment or court order shall in no way affect any other provision, which provision shall remain in full force and effect.

16. This Interim Agreement shall be effective upon signature by Respondent. Respondent acknowledges that the Panel may choose not to accept the terms of this Interim Agreement and that if the Interim Agreement is not approved by the Panel and signed by a Panel member, it is void.

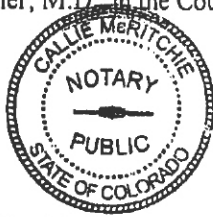
17. This Interim Agreement constitutes the entire agreement between the parties, and there are no other agreements or promises, written or oral, which modify, interpret, construe or affect this Interim Agreement.

18. All costs and expenses incurred by Respondent to comply with this Interim Agreement shall be the sole responsibility of Respondent, and shall in no way be the obligation of the Board or Panel.

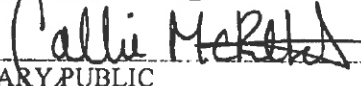
19. This Interim Agreement shall constitute a public record but is not reportable to the National Practitioner Data Bank or to the Healthcare Integrity Protection Data Bank.


Charles S. Adler, M.D.

The foregoing was acknowledged before me this 12th day of January, 2009, by Charles S. Adler, M.D., in the County of Denver, State of Colorado.

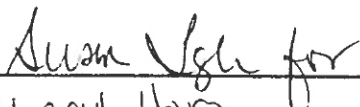


My Commission Expires June 21, 2010


NOTARY PUBLIC
June 21, 2010
Commission expiration date

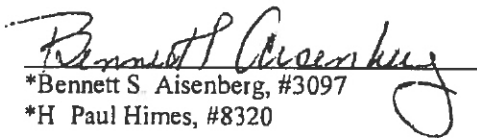
THE FOREGOING Interim Cessation of Practice Agreement is approved and effective this 13 day of January, 2009.

FOR THE COLORADO STATE BOARD OF
MEDICAL EXAMINERS
INQUIRY PANEL A


Cheryl Hara
Program Director

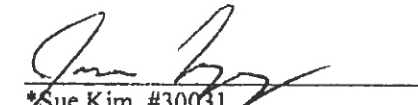
APPROVED AS TO FORM:

LAW OFFICE OF BENNETT AISENBERG
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