

BEFORE THE STATE BOARD OF MEDICAL EXAMINERS
STATE OF COLORADO

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE LICENSE
TO PRACTICE MEDICINE IN THE STATE OF COLORADO OF KATHY A. MORALL,
M.D. LICENSE NO. 21483

Respondent.

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

JURISDICTION AND CASE HISTORY

1. Respondent was licensed to practice medicine in the state of Colorado on February 14, 1978, and was issued license number 21483, 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 November 17, 2005, the Panel reviewed information pertaining to case number 2005-004150B. The Panel thereupon referred these matters to the Attorney General pursuant to C.R.S. § 12-36-118(4)(c)(IV).
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 numbers 2005-004150B 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;
 - b. Respondent has the right to a formal disciplinary hearing pursuant to C.R.S. § 12-36-118(5);

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 specifically admits and agrees as follows:

a. In December 2003, Respondent's patient, F.W. was admitted to Porter Hospital. Shortly thereafter, Respondent assisted in arranging for F.W. to be admitted to a nursing home, where she was listed as F.W.'s treating physician on the admission documents;

b. In February 2004, Respondent accepted a power of attorney over F.W.'s estate, and Respondent improperly used \$150,000 of F.W.'s funds in ways that did not benefit F.W.; and

c. Respondent has since returned all of the funds to F.W.

7. Respondent admits that the conduct set forth in paragraph 6 above constitutes unprofessional conduct as defined in C.R.S. § 12-36-117(1)(p).

SURRENDER OF LICENSE

8. Respondent agrees to surrender her Colorado medical license issued by the Board, license number 21483, effective February 10, 2006.

9. Following the surrender of Respondent's license, Respondent agrees to perform no act requiring a license issued by the Board.

10. Respondent agrees not to apply for a new license issued by the Board.

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

n/A	

14. This Order and all its terms shall have the same force and effect as an order entered after a formal hearing except that it may not be appealed. Failure to comply with the terms of this Order may be sanctioned by the Panel as set forth in C.R.S. § 12-36-101 et seq. This Order and all its terms also constitute a valid board order for purposes of C.R.S. § 12-36-117(1)(u).

15. The parties agree that the Panel has jurisdiction to execute and enforce this Order. 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.

16. 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.

17. Upon becoming effective, this Order shall be open to public inspection and shall be reported to the National Practitioner Data Bank and as otherwise required by law.

Kathy A. Morall, M.D.
KATHY A. MORALL, M.D.

The foregoing was acknowledged before me this 3 day of MARCH 2006
by Kathy A. Morall, M.D. in the city and county of NY

Hilary Gardner

NOTARY PUBLIC

3/7/09

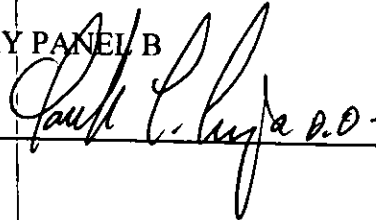
HILARY GARDNER
Notary Public, State of New York
No. 01GA6123382
Qualified in Queens County
Commission Expires March 7, 2009

My commission expires

THE FOREGOING Stipulation and Final Agency Order is approved and effective this
16 day of March, 2006

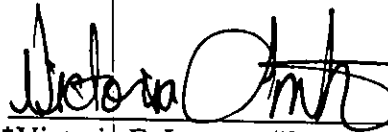
FOR THE COLORADO STATE BOARD OF
MEDICAL EXAMINERS

INQUIRY PANEL B



APPROVED AS TO FORM:

JOHN SUTHERS
Attorney General



*Victoria E. Lovato, #31700
Assistant Attorney General
Business and Licensing Section

Attorneys for Board of Medical Examiners,
Inquiry Panel B

1525 Sherman Street, 5th Floor
Denver, Colorado 80203
Telephone: (303) 866-4579
FAX: (303) 866-5395
*Counsel of Record