

BEFORE THE STATE BOARD OF MEDICAL EXAMINERS
STATE OF COLORADO
CASE NO. 2010-000137-A

INTERIM CESSATION OF PRACTICE AGREEMENT

IN THE MATTER OF THE LICENSE TO PRACTICE MEDICINE IN THE STATE OF
COLORADO OF THOMAS W. STARKEY, JR., M.D., LICENSE NUMBER 46543,

Respondent.

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

1. Respondent was licensed to practice medicine in the state of Colorado on April 11, 2008, and was issued license number 46543, 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 July 15, 2009, the Panel reviewed information relating to Board Case number 2010-000137-A and found that based upon the information reviewed, the Panel had reasonable grounds to believe that Respondent has deliberately and willfully violated the Colorado Medical Practice Act and/or the public health, safety, or welfare imperatively requires emergency action. 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 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 constitutes 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:

N/A

15. Invalidation 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 or other authorized person, it is void.

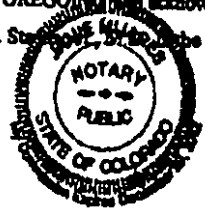
17. This Interim Agreement constitutes the entire agreement between the parties, and there are no other agreements or promises, written or oral, which modify, interpret, construe or affect this Interim Agreement.

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.

Tom Starkey, MD
Thomas W. Starkey, Jr., M.D.

THE FOREGOING was acknowledged before me this 20th day of July, 2009,
by Thomas W. Starkey, Jr., M.D., of the County of Denver, State of Colorado.



[Signature]
NOTARY PUBLIC
1 December 2012
Commission expiration date

THE FOREGOING Interim Cessation of Practice Agreement is effective upon signature
by Respondent, above, and is approved this 20 day of July, 2009.

FOR THE COLORADO STATE BOARD OF
MEDICAL EXAMINERS
INQUIRY PANEL A

[Signature]
Cheryl Hahn, Program Director

APPROVED AS TO FORM:

REILLY POZNER LLP

[Signature]

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