

BEFORE THE COLORADO MEDICAL BOARD  
STATE OF COLORADO

CASE NOS. 2018-9188-B and 2019-3910-B

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**STIPULATION AND FINAL AGENCY ORDER**

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IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE  
LICENSE TO PRACTICE MEDICINE IN THE STATE OF COLORADO OF TARA  
IRENE NETTER, M.D., LICENSE NUMBER DR- 59784,

Respondent.

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IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel B  
("Panel") of the Colorado Medical Board ("Board") and Tara Irene Netter, M.D.  
("Respondent") (collectively, the "Parties") as follows:

**JURISDICTION AND CASE HISTORY**

1. Respondent was licensed to practice medicine in the state of Colorado on 01/17/2018 and was issued license number DR-59784, 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 September 19, 2019, the Panel reviewed case numbers 2018-9188-B and 2019-3910-B and determined that further proceedings by formal complaint were warranted pursuant to Section 12-36-118(4)(c)(IV), C.R.S. (now codified at Section 12-240-125(4)(b)(V), C.R.S.). The Panel thereupon referred the matter to the Attorney General pursuant to pursuant to Section 12-36-118(4)(c)(IV), C.R.S. (now codified at Section 12-240-125(4)(b)(V), C.R.S.).
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 2018-9188-B and 2019-3910-B, without the necessity of conducting 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 Respondent has voluntarily chosen to proceed without representation;

b. Respondent has the right to a formal complaint and disciplinary hearing pursuant to Sections 12-240-125(4)(c)(V) and 12-240-125(5), C.R.S.;

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

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; and

e. Respondent is knowingly and voluntarily waiving the right to seek judicial review of this Order.

## **FACTUAL BASIS**

6. Respondent specifically admits and the Panel finds that:

a. On or about September 14, 2018, Respondent pled guilty to a misdemeanor charge of driving while ability impaired. Respondent failed to report to the Board within 30 days of pleading guilty to the misdemeanor charge; and

b. Respondent has a physical illness; a physical condition; or a behavioral, mental health, or substance use disorder that impacts her ability to perform a medical service with reasonable skill and with safety to patients.

7. Respondent admits and the Panel finds that the acts and/or omissions described in the factual basis above constitutes unprofessional conduct pursuant to Section 12-240-121(1)(i) and (r), C.R.S., which state:

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

i) Failing to notify the board, as required by section 12-30-108(1), of a physical illness, physical condition, or behavioral, mental health, or substance use disorder that impacts the licensee's ability to perform a medical service with reasonable skill and safety to patients; failing to act within the limitations created by a physical illness, physical condition, or behavioral, mental health, or substance use disorder that renders the licensee unable to perform a medical service with

reasonable skill and safety to the patient; or failing to comply with the limitations agreed to under a confidential agreement entered into pursuant to sections 12-30-108 and 12-240-126;

...

(r) Failing to report to the board, within thirty days after an adverse action, that an adverse action has been taken against the licensee by another licensing agency in another state or country, a peer review body, a health care institution, a professional or medical society or association, a governmental agency, a law enforcement agency, or a court for acts or conduct that would constitute grounds for disciplinary or adverse action as described in this article 240

8. Based upon the above, the parties stipulate that the terms of this Order are authorized by Section 12-240-125(5)(c)(III), C.R.S.

### **LICENSE INACTIVATION**

9. Commencing on the effective date of this Order, Respondent's License will be placed on inactive status. The Board hereby waives the requirement of Section 12-240-141, C.R.S., of a formal application, including supporting affidavit, for the transfer of a license to inactive status; and the entry of this Order shall be deemed equivalent to a grant of an application for inactive status under Section 12-240-141, C.R.S.

10. Following inactivation of her license, Respondent shall not perform any act in the state of Colorado that constitutes the practice of medicine 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.

11. Respondent may apply to resume the active practice of medicine no sooner than two (2) years from the effective date of this Order in accordance with 12-240-125(5)(e) and in compliance with Section 12-240-141(5), C.R.S. Respondent agrees that if she applies to reactivate her license, Respondent shall provide the Board with a current CPEP competency assessment, or otherwise demonstrate continued competency pursuant to Section 12-240-120(1)(d), C.R.S., and any related Board rules and/or policies, and will be required to comply with any other statutory or regulatory requirement, along with her application. Respondent must also provide a current mental and/or physical examination and/or evaluation by physicians designated by the Board, at the time of her application. Respondent acknowledges that if she applies to reactivate her license, the Panel may require Respondent to fulfill additional requirements that the Panel deems necessary, at that time, to protect the public health, safety, and welfare. These requirements may include, but

are not limited to, a probationary period, treatment monitoring, an educational assessment, and practice monitoring. Additionally, Respondent will be required to comply with any other statutory or regulatory requirement. The Parties agree that the Panel's decision regarding such application and requirements shall be made at the sole discretion of the Panel. Respondent waives the right to appeal the Panel decision on these issues.

### OTHER TERMS

12. The terms of this Order were mutually negotiated and determined.
13. 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.
14. 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.
15. If Respondent is licensed by any other jurisdiction, Respondent shall report this Order to all other jurisdictions in which Respondent is licensed.
16. Respondent shall submit an update to her profile with the Healthcare Professions Profiling Program regarding this Order within thirty (30) days of the effective date of this Order.
17. 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 or is employed by the following hospitals and facilities:

\_\_\_\_\_  
NONE

18. This Order and all its terms shall have the same force and effect as an order entered after a formal disciplinary hearing pursuant to Section 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 Section 12-36-118(5)(g)(IV), C.R.S. This Order and all its terms also constitute a valid board order for purposes of Section 12-240-121(1)(n), C.R.S.
19. This Order shall be admissible as evidence at any proceeding or future hearing before the Board.

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

21. During the pendency of any action arising out of this Order, the terms of this Order shall be deemed to be in full force and effect and shall not be tolled.

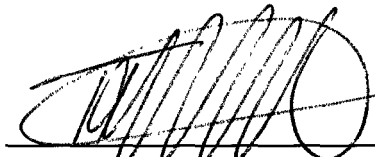
22. Respondent acknowledges that the Panel may choose not to accept the terms of this Agreement and that if the Agreement is not approved by the Panel and signed by a Panel member or other authorized person, it is void.

23. This Order shall be effective upon (a) mailing by first-class mail to Respondent at Respondent's address of record with the Board, or (b) service by electronic means on Respondent at Respondent's electronic address of record with the Board. Respondent hereby consents to service by electronic means if Respondent has an electronic address on file with the Board.

24. Upon becoming effective, this Order shall be open to public inspection and shall be publicized pursuant to the Board's standard policies and procedures. This Order constitutes discipline against Respondent's license. Additionally, this Order shall be reported to the Federation of State Medical Boards, the National Practitioner Data Bank and as otherwise required by law.

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Colorado Medical Board.  
Re: Stipulation and Final  
Agency Order

 9/14/2021

Tara Irene Netter, M.D.

Case Nos 2018-9188 B and  
2019-3910-B.

THE FOREGOING Stipulation and Final Agency Order is approved this 22nd  
day of October, \_\_\_\_\_.

FOR THE COLORADO MEDICAL BOARD  
INQUIRY PANEL B

*Paula E. Martinez*

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Paula E. Martinez  
Program Director  
*Delegated authority to sign by Inquiry Panel  
B*

THE FOREGOING Stipulation and Final Agency Order is effective upon  
service to Respondent, on October 22, 2021, \_\_\_\_\_.

*Barbara*

APPROVED AS TO FORM:

FOR THE COLORADO MEDICAL  
BOARD

PHILIP J. WEISER  
Attorney General

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