

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 CHRISTIAN HAGESETH, III, LICENSE NO. 21721

Respondent.

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

JURISDICTION AND CASE HISTORY

1. Respondent was licensed to practice medicine in the state of Colorado on July 11, 1978, and was issued license number 21721, 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 June 20, 2002, Respondent entered into a Stipulation and Final Agency Order ("Stipulation") that permanently restricted Respondent's practice to "research activities related to clinical trials of medications conducted according to research protocols," and limited Respondent's practice to administrative medicine not involving patient contact.
4. On March 27, 2003, Respondent entered into a Second Stipulation and Final Agency Order ("Second Stipulation") that amended the Stipulation because Respondent's position at that time did not employ nurse practitioners to accompany Respondent. The Second Stipulation continued to restrict Respondent's practice to "research activities related to clinical trials of medications conducted according to research protocols," and limited Respondent's practice to administrative medicine not involving patient contact.
5. On November 14, 2003, Respondent entered into a Third Stipulation and Final Agency Order ("Third Stipulation") that amended the Second Stipulation to modify the requirements pertaining to Respondent's role as a clinical investigator at the Feiger Health Research Center and to allow him to perform independent medical examinations as set forth in the Third Stipulation. The Third Stipulation continued to restrict Respondent's practice to "research"

activities related to clinical trials of medications conducted according to research protocols," and limited Respondent's practice to administrative medicine not involving patient contact.

6. On August 11, 2005, the Panel reviewed information pertaining to case number 2006-000480A. The Panel thereupon referred these matters to the Attorney General pursuant to C.R.S. § 12-36-118(4)(c)(IV).

7. 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 2006-000480A 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.

8. 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.

9. Respondent specifically admits and agrees as follows:

- a. Respondent's administrative license to practice medicine is restricted to research activities related to clinical trials of medications conducted according to research protocols;
- b. Under the terms of Respondent's administrative license, Respondent may not prescribe medications nor may he authorize prescription orders other than to "adjust medication levels" according to terms of the Third Stipulation; and
- c. Respondent authorized numerous prescription orders to be filled via the internet.

10. Respondent admits that the conduct set forth in paragraph 9 above violates C.R.S. § 12-36-117(1)(u).

SURRENDER OF LICENSE

11. Respondent has chosen to retire from the practice of medicine. Therefore, Respondent agrees to surrender his Colorado medical license issued by the Board, license number 21721, effective August 12, 2005.

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

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

OTHER TERMS

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

15. 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.

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

17. 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)(a).

18. 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.

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.

18. 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.

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 to the National Practitioner Data Bank and as otherwise required by law.


CHRISTIAN HAGESETH, III, M.D.

The foregoing was acknowledged before me this 12 day of August

by Christian Hageseth, III, M.D. in the city and county of

Ft. Collins
Lincoln




NOTARY PUBLIC

1/3/2007
My commission expires

THE FOREGOING Stipulation and Final Agency Order is approved and effective this
15th day of August, 2005.

FOR THE COLORADO STATE BOARD OF
MEDICAL EXAMINERS

INQUIRY PANEL A

Asia Melli, Program Director

APPROVED AS TO FORM:

JOHN SUTHERS
Attorney General

Victoria Lovato

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