



**Department
of Health**

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

August 11, 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Gregory Donald Denzel, D.O.
[REDACTED]

David W. Quist, Esq.
NYS Department of Health
ESP-Corning Tower-Room 2512
Albany, New York 12237

Gregory Donald Denzel, D.O.
[REDACTED]

Gregory Donald Denzel, D.O.
[REDACTED]

RE: In the Matter of Gregory Donald Denzel, D.O.

Dear Parties:

Enclosed please find the Determination and Order (No. 16-278) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct
New York State Department of Health
Office of Professional Medical Conduct
Riverview Center
150 Broadway - Suite 355
Albany, New York 12204

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (1), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Chief Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Riverview Center
150 Broadway – Suite 510
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,



James F. Horan
Chief Administrative Law Judge
Bureau of Adjudication

JFH:cah
Enclosure

**STATE OF NEW YORK: DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT**

**IN THE MATTER
OF
GREGORY DONALD DENZEL, D.O.**

**DETERMINATION
AND
ORDER**

BPMC #16-278

COPY

A hearing was held on July 14, 2016, at the offices of the New York State Department of Health ("the Petitioner"). A Notice of Referral Proceeding, dated June 2, 2016 and a Statement of Charges, dated May 2, 2016, were served upon the Respondent, **Gregory Donald Denzel, D. O.**

Pursuant to Section 230(10)(e) of the Public Health Law, **Robert A. Catalano, M.D., M.B.A., Chair, Kenneth J. Steier, D.O., and Gail S. Homick Herrling**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. **David A. Lenihan, Esq.**, Administrative Law Judge, served as the Administrative Officer. The Petitioner appeared by **Richard J. Zahnleuter, Esq.**, General Counsel, by **David W. Quist, Esq.**, of Counsel. The Respondent, **Gregory Donald Denzel, D.O.**, did not appear, although duly served by personal service. Evidence was received and transcripts of these proceedings were made. After consideration of the entire record, the Hearing Committee issues this Determination and Order.

STATEMENT OF CASE

This case was brought pursuant to Public Health Law Section 230(10)(p). The statute provides for an expedited hearing when a licensee is charged solely with a violation of Education Law Section 6530(9). In such cases, a licensee is charged with misconduct based upon a prior criminal conviction in New York State or another jurisdiction, or upon a prior administrative adjudication regarding conduct that would amount to professional misconduct, if committed in New York. The scope of an expedited hearing is limited to a determination of the nature and severity of the penalty to be imposed upon the licensee.

In the instant case, the Respondent is charged with professional misconduct pursuant to Education Law §6530(9) (b) – by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state.

Respondent is also charged with committing professional misconduct as defined in N.Y Educ. Law § 6530(9) (d) - by having his license to practice medicine revoked, suspended or having other disciplinary action taken, or having his application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation,

suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state. Copies of the Notice of Hearing and the Statement of Charges are attached to this Determination and Order as Appendix 1. A copy of the Colorado Order is attached to this Determination as Appendix 2.

WITNESSES

For the Petitioner: None

For the Respondent: None

FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Numbers below in parentheses refer to exhibits, denoted by the prefix "Ex."

These citations refer to evidence found persuasive by the Hearing Committee in arriving at a particular finding. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence. All Hearing Committee findings were unanimous.

1. Gregory Donald Denzel, D.O., the Respondent, did not appear at the hearing although duly and personally served with process. (Petitioner's Ex. 2)
2. Gregory Donald Denzel, D.O., the Respondent, was authorized to practice medicine in New York State on or about July 15, 1991, by the issuance of license number 186229 by the New York State Education Department. (Petitioner's Ex. 3)

3. On or about August 28, 2015, Respondent agreed to a Stipulation and Final Agency Order with the Colorado Medical Board which became effective on or about October 8, 2015. Pursuant to the terms that Order, Respondent admitted that he engaged in unprofessional conduct by failing to personally examine a number of patients before making medical diagnoses and prescribing Suboxone to patients while serving as Medical Director of a treatment center. (Petitioner's Ex. 4 and attached hereto as Appendix 2)

4. Pursuant to the terms of that Order, Respondent was admonished and placed on five years' probation subject to terms including prohibition against solo practice and prohibition against prescribing, maintaining a supply of, administering, or dispensing Suboxone. Respondent was also required to undergo an assessment to determine the need for remedial education and/or training, and to comply with the outcome of such assessment; training in ethics; and compliance with other terms and conditions. (Petitioner's Ex. 4)

VOTE OF THE HEARING COMMITTEE

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

"Respondent violated New York Education Law §6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state, where the conduct upon which the finding

was based would, if committed in New York state, constitute professional misconduct under the laws of New York state..."

VOTE: Sustained (3-0)

SECOND SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

"Respondent violated New York Education Law §6530(9)(d) by having had disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state"

VOTE: Sustained (3-0)

HEARING COMMITTEE DETERMINATION

The Respondent did not appear at the hearing, either in person or by counsel. The Administrative Officer, after considering the documentary evidence, which included an Affidavit of Personal Service of the Notice of Referral Proceeding and the Statement of Charges (Petitioner's Exhibit 2), ruled that the Petitioner had met the requirements of law for the service of process, that jurisdiction had been established over the Respondent, and that the hearing could proceed on the merits notwithstanding the Respondent's absence.

The record in this case shows that the Respondent agreed to a Stipulation and Final Agency Order with the Colorado Medical Board in which he admitted that he engaged in unprofessional conduct by failing to personally examine a number of patients before making medical diagnoses and prescribing Suboxone to these patients while serving as

Medical Director of a treatment center. The record goes on to show that because of his actions he was admonished and placed on five years' probation subject to very strict terms.

The New York panel found that these terms were warranted because of the potential harm to patients. These terms included a prohibition against solo practice and a further prohibition against prescribing, maintaining a supply of, administering, or dispensing Suboxone. In addition, the Respondent was also required to undergo an assessment to determine the need for remedial education and/or training, and to comply with the outcome of such assessment. Finally, Colorado demanded that the Respondent undergo training in ethics and compliance with other terms and conditions set forth in the agreed order at pages six and seven. (See Appendix 2 for the Colorado Order)

The panel noted that the Respondent was personally served with notice of this matter and was thus aware of this proceeding and chose to ignore it. Respondent did not appear at the hearing, and the record does not contain any evidence of mitigating circumstances or remorse. The Department requested a Censure and Reprimand along with three years' probation, with a restriction on prescribing Suboxone. The panel based its determination on the documentation in the record and determined to impose a more severe punishment. The panel reviewed the entire record in this matter and, considering the full range of penalties available pursuant to PHL §230-a, determined the appropriate penalty to be a suspension of his license to practice medicine in New York State until the probation imposed by the State of Colorado is successfully completed and Respondent is restored to full and unrestricted practice in that State. Respondent is directed to provide the Director of OPMC with verification of the completion of the Colorado probation and his compliance with all the terms and conditions of that order.

ORDER

IT IS HEREBY ORDERED THAT:

1. The specifications of professional misconduct, as set forth in the Statement of Charges, are **SUSTAINED**.
2. The Respondent's license to practice medicine in New York is **Suspended** until such time as he is restored to full and unrestricted practice in the State of Colorado and provides the Director of OPMC with verification of the successful completion of the Colorado probation and compliance with all the terms and conditions of that Order.
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of Public Health Law Section 230(10)(h).

DATED: Delmar, New York
August 5, 2016



Robert A. Catalano, M.D., M.B.A., Chair

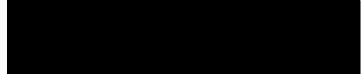
Kenneth J. Steier, D.O.
Gail S. Homick Herrling

To:

Gregory Donald Denzel, D.O.



Gregory Donald Denzel, D.O.



Gregory Donald Denzel, D.O.



**David W. Quist, Esq.
Attorney for Petitioner
Associate Attorney
NYS Department of Health
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Albany, New York 12237**

APPENDIX 1

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
GREGORY DONALD DENZEL, D.O.

NOTICE OF
REFERRAL
PROCEEDING

TO: Gregory Donald Denzel, D.O. Gregory Donald Denzel, D.O.

Gregory Donald Denzel, D.O.

PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law §230(10)(p) and N.Y. State Admin. Proc. Act §§301-307 and 401. The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee) on July 14, 2016 at 10:30 a.m., at the offices of the New York State Department of Health, Riverview Center, 150 Broadway, Suite 510, Menands (Albany), NY 12204-2719.¹

At the proceeding, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel who shall be an attorney admitted to practice in New York state. You may produce evidence or sworn testimony on your behalf. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered which would show that the conviction would not be a crime in New York State. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify.

¹ For GPS purposes, enter "Menands", not "Albany".

EXHIBIT

If you intend to present sworn testimony, the number of witnesses and an estimate of the time necessary for their direct examination must be submitted to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Riverview Center, 150 Broadway - Suite 510, Albany, NY 12204-2719, ATTENTION: HON. JAMES HORAN, DIRECTOR, BUREAU OF ADJUDICATION (Telephone: (518-402-0748), (henceforth "Bureau of Adjudication") as well as the Department of Health attorney indicated below, no later than twenty days prior to the scheduled date of the Referral Proceeding, as indicated above.

Pursuant to the provisions of N.Y. Pub. Health Law §230(10)(p), you shall file a written answer to each of the charges and allegations in the Statement of Charges at least ten days prior to the date of the hearing. Any charge or allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such answer. You may also file a written brief and affidavits with the Committee. All such documents shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below, at least ten days prior to the date of the hearing. Should the parties have objection(s) to proposed witnesses or documentary evidence, the party raising the objection(s) shall contact the Bureau of Adjudication at least three days prior to the hearing date to arrange for a pre-hearing conference with the Administrative Law Judge,

Not later than ten days prior to the date of the hearing, you are required to file one copy of your proposed exhibits (if any) with the Bureau of Adjudication at the address indicated above, and a copy of all such documents/exhibits must be served on the same date on the Department of Health attorney indicated below. On the day of the hearing, you are also required to provide the original of such exhibits and three copies, for use by the Committee.

Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person. Pursuant to the terms of N.Y. State Admin. Proc. Act §401 and 10 N.Y.C.R.R. §51.8(b), the Petitioner hereby demands disclosure of the evidence that the Respondent intends to introduce at the hearing, including the names of witnesses, a list of and copies of documentary evidence and a description of physical or other evidence which cannot be photocopied.

YOU ARE HEREBY ADVISED THAT THE ATTACHED CHARGES WILL BE MADE PUBLIC FIVE BUSINESS DAYS AFTER THEY ARE SERVED.

Department attorney: Initial here 

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to the Bureau of Adjudication, at the address indicated above, with a copy of the request to the attorney for the Department of Health, whose name appears below, at least five days prior to the scheduled date of the proceeding. Adjournment requests are not routinely granted. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation. Failure to obtain an attorney within a reasonable period of time prior to the proceeding will not be grounds for an adjournment.

The Committee will make a written report of its findings, conclusions as to guilt, and a determination. Such determination may be reviewed by the administrative review board for professional medical conduct.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET OUT IN NEW YORK PUBLIC HEALTH LAW §§230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
June 2, 2016


MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct

Inquiries should be addressed to:

**David W. Quist
Associate Attorney
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, NY 12237
(518) 473-4282**

IN THE MATTER

OF

GREGORY DONALD DENZEL, D.O.

STATEMENT

OF

CHARGES

GREGORY DONALD DENZEL, D.O., the Respondent, was authorized to practice medicine in New York State on or about July 15, 1991, by the issuance of license number 186229 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about August 28, 2015, Respondent agreed to a Stipulation and Final Agency Order ("Order") with the Colorado Medical Board ("Board"), which became effective on or about October 8, 2015. Pursuant to the terms that Order, Respondent admitted that he engaged in unprofessional conduct by failing to personally examine a number of patients before making medical diagnoses and prescribing Suboxone to patients while serving as Medical Director of a treatment center.

B. Pursuant to the terms of that Order, Respondent was admonished; placed on five years' probation subject to terms including prohibition against solo practice and prohibition against prescribing, maintaining a supply of, administering, or dispensing Suboxone; required to undergo an assessment to determine the need for remedial education and/or training, and to comply with the outcome of such assessment; training in ethics; and compliance with other terms and conditions.

C. The conduct resulting in the Board's Order would constitute misconduct under the laws of New York State pursuant to New York Education Law section 6530(3) (negligence on more than one occasion).

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(3)) as alleged in the facts of the following:

1. The facts in Paragraphs A, B, and C.

SECOND SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a

license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(3)) as alleged in the facts of the following:

2. The facts in Paragraphs A, B, and C.

MAY 2
DATE: April , 2016
Albany, New York


MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct

APPENDIX 2

BEFORE THE COLORADO MEDICAL BOARD

STATE OF COLORADO

CASE NO. [REDACTED]

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE LICENSE TO PRACTICE MEDICINE IN THE STATE OF COLORADO OF GREGORY DONALD DENZEL, D.O., LICENSE NUMBER DR-32068,

Respondent.

IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel A ("Panel") of the Colorado Medical Board ("Board") and Gregory Donald Denzel, D.O. ("Respondent") (collectively, the "Parties") as follows:

JURISDICTION AND CASE HISTORY

1. Respondent was licensed to practice medicine in the State of Colorado on August 21, 1992, and was issued license number DR-32068, which Respondent has held continuously since that date ("License").

2. The Panel and the Board have jurisdiction over Respondent and over the subject matter of this proceeding.

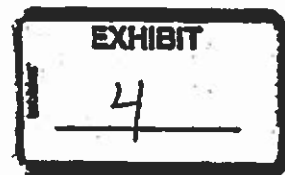
3. On April 9, 2015, the Panel reviewed case number [REDACTED] and determined that further proceedings by formal complaint were warranted pursuant to Section 12-36-118(4)(c)(IV), C.R.S.

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 number [REDACTED] 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 Respondent's choice, and Respondent is represented by counsel;

b. Respondent has the right to a formal complaint and disciplinary hearing pursuant to Sections 12-36-118(4)(c)(IV) and 12-36-118(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. Between 2010 and mid-2012, Respondent served as Medical Director for North Colorado Behavioral Health and Rocky Mountain Treatment Centers, which provided services exclusively to persons addicted to opioids.

b. In his capacity as Medical Director, Respondent supervised a Certified Addiction Counselor III, W.M.

c. Between 2010 and mid-2012, [REDACTED] would conduct patient assessments and communicate the results to Respondent. After which, Respondent would confirm the assessments over the telephone and prescribe Suboxone in order for the patients to immediately report to Respondent for examination and induction.

d. Respondent states that he always intended that these patients report to him for induction prior to their use of the prescribed medication.

e. Respondent's failure to personally examine these patients before making medical diagnoses and prescribing Suboxone constitutes unprofessional conduct.

7. Respondent admits and the Panel finds that the conduct set forth above constitutes unprofessional conduct as defined in Sections 12-36-117(1)(p), C.R.S., which state:

(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, the Parties agree and stipulate that the terms of this Order are authorized by Section 12-36-118(5)(g)(III), C.R.S.

LETTER OF ADMONITION

9. This provision shall constitute a Letter of Admonition as set forth in Sections 12-36-118(4)(c)(III)(A) and 12-36-118(5)(g)(III), C.R.S. Respondent is

hereby admonished for the acts and omissions described in the Factual Basis above.

10. By entering into this Order, Respondent agrees to waive the rights provided by Section 12-36-118(4)(c)(III)(B), C.R.S., to contest this Letter of Admonition.

PROBATIONARY TERMS

11. Respondent's License is hereby placed on probation for five (5) years, commencing on the effective date of this Order. All terms of probation shall be effective throughout the probationary period and shall constitute terms of this Order.

12. During the probationary period, Respondent agrees to be bound by the terms and conditions set forth below.

PRACTICE RESTRICTIONS

13. Respondent shall not practice medicine as a solo practitioner and/or in any setting where Respondent is the sole physician. Respondent shall not delegate and supervise the provision of medical services to advance practice providers or to unlicensed persons pursuant to Board Rules 400 and 800 and Section 12-36-106(3)(I), C.R.S.

PRESCRIBING RESTRICTIONS

14. Commencing on the effective date of this Order, and for the duration of the probationary period set forth in paragraph 11 above, Respondent shall not prescribe, maintain a supply of, administer, or dispense any Suboxone.

CPEP EDUCATION PROGRAM

15. Within 30 days of the effective date of this Order, Respondent shall contact the Center for Personalized Education for Physicians ("CPEP") to schedule a competence assessment ("CPEP Assessment"). Respondent shall complete and review the CPEP Assessment within 120 days of the effective date of this Order.

16. The CPEP Assessment will determine whether CPEP recommends that Respondent undergo any education intervention plan or other remedial education or training program. Hereinafter, the term "Education Program" shall refer to any education intervention plan or other remedial education or training program, recommended by CPEP including the "Post-Education Evaluation" component.

17. If the CPEP Assessment indicates Respondent should undergo an Education Program, Respondent shall enroll in the recommended Education Program within 180 days of the effective date of this Order. If the CPEP Assessment indicates that Respondent need not undergo any Education Program,

Respondent shall be deemed to have satisfied fully the CPEP Education Program requirement of this Order.

18. Respondent shall timely commence and successfully complete any CPEP recommended Education Program including the Post-Education Evaluation component, within the time required by CPEP. However, Respondent shall have no more than two years from the effective date of this Order to complete the entire CPEP Education Program unless the Panel determines, in its discretion, that more time is necessary. Any delay in Respondent's completion of the recommended Education Program, including the Post-Education Evaluation, will delay Respondent's successful completion of the probationary period.

19. Respondent understands and acknowledges that in order to complete the Education Program successfully, Respondent must demonstrate to CPEP and the Panel's satisfaction that Respondent has satisfactorily accomplished all CPEP Education Program objectives and has integrated this learning into Respondent's medical practice.

20. Within 30 days of the effective date of this Order, Respondent shall sign any and all releases necessary to allow CPEP to communicate with the Panel. Within 60 days of the effective date of this Order, Respondent shall provide the Panel with a copy of such releases. Respondent shall not revoke such releases prior to successful completion of the probationary period as set forth in this Order. Any failure to execute such a release, failure to provide copies to the Panel, or any revocation of such a release shall constitute a violation of this Order.

21. Respondent shall provide or cause CPEP to provide a copy of the Assessment Report, Education Plan, and any other reports regarding Respondent's participation in the Education Program to the Panel within 30 days of the report's completion.

22. Respondent shall ensure that all reports from CPEP are complete and timely submitted to the Board. Respondent understands that the Board may accept a report, reject a report, refer the matter for additional disciplinary proceedings, or take any further action authorized by law.

23. Respondent shall provide the Panel with written proof from CPEP upon successful completion of the recommended Education Program, including successful completion of the Post-Education Evaluation as defined above.

24. The Parties acknowledge that most CPEP Assessments include a computer-based cognitive function screening test. If CPEP determines that Respondent's results on the cognitive function screen suggest the need for further neuropsychological testing, Respondent shall directly notify, or ensure that CPEP notifies, the Panel of such a determination. The Panel may, in its discretion, order

Respondent to undergo a comprehensive neuropsychological examination with its peer assistance, or other delegated provider, pursuant to an Order or other written instruction of the Panel. Respondent understands and agrees to undergo neuropsychological examination as directed by the Panel.

25. All CPEP recommendations and instructions shall constitute terms of this Order. Respondent shall comply with all CPEP recommendations and instructions within the time periods set out by CPEP and the Panel. Respondent's failure to comply with CPEP recommendations and instructions shall constitute a violation of this Order.

ETHICS COURSE

26. Within one year of the effective date of this Order, Respondent shall successfully complete the ProBE-Professional/Problem Based Ethics Program conducted by CPEP.

27. In order to successfully complete the course, Respondent's performance in the course must be rated as successful, without condition or qualification.

28. Respondent shall provide proof of successful completion of this course to the Panel within one year of the effective date of this Order.

TOLLING OF THE PROBATIONARY PERIOD

29. If at any time, Respondent ceases the active clinical practice of medicine, defined for the purposes of this Order as evaluating or treating a minimum of five patients per month, the probationary period shall be tolled for the time the Order is in effect and Respondent is not engaged in the active clinical practice of medicine.

30. Respondent must comply with all other terms of the Order and all other terms of probation. Unless otherwise specified, all terms of the Order and all terms of probation shall remain in effect, regardless of whether the probationary period has been tolled, from the effective date of this Order until probation is terminated. The probationary period shall be tolled for any time Respondent is not in compliance with any term of this Order.

OUT OF STATE PRACTICE

31. Respondent may wish to leave Colorado and practice in another state. At any time other than during a period of suspension imposed by this Order, and whether to practice out of state or for any other reason, Respondent may request, in writing, that the Board place Respondent's license on inactive status as set forth in Section 12-36-137, C.R.S. Respondent's request to place his license on inactive status must include written evidence that Respondent has reported this Order to all other jurisdictions in which Respondent is licensed, as required by the "Other Terms"

section of this Order. Upon the approval of such request, Respondent may cease to comply with the terms of this Order. Failure to comply with the terms of this Order while inactive shall not constitute a violation of this Order. While inactive, 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 jurisdiction pursuant to the authority of a license to practice medicine granted by the state of Colorado. Unless Respondent's license is inactive, Respondent must comply with all terms of this Order, irrespective of Respondent's location. The probationary period will be tolled for any period of time Respondent's license is inactive.

32. Respondent may resume the active practice of medicine at any time pursuant to written request and as set forth in Section 12-36-137(5), C.R.S. With such written request, Respondent shall cause CPHP to perform an updated evaluation of Respondent. Respondent shall be permitted to resume the active practice of medicine only after approval of the practice monitor, the compliance monitor, and the treatment monitor, and only after submission of and approval of an updated evaluation from CPHP.

TERMINATION OF PROBATION

34. After expiration of the probationary period, Respondent may submit a written request for restoration of Respondent's license to unrestricted status. If Respondent has complied with the terms of probation, and if Respondent's probationary period has not been tolled, such release shall be granted by the Panel in the form of a written notice.

OTHER TERMS

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

36. 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.

37. 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.

38. If Respondent is licensed by any other jurisdiction, Respondent shall report this Order to all other jurisdictions in which Respondent is licensed.

39. During the probationary period or any period in which a physician is subject to prescribing restrictions, no physician shall perform an assessment of a patient's medical history and current medical condition, including a personal physical examination, for the purpose of concluding that a patient may benefit from the use of medical marijuana, recommending the use of medical marijuana or certifying a debilitating medical condition for an applicant to the Colorado Medical Marijuana

Program. Respondent hereby understands and agrees that he shall not certify to the state health agency that a patient has a debilitating medical condition or that the patient may benefit from the use of medical marijuana.

40. Respondent shall obey all state and federal laws while the terms of this Order are in effect.

41. 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:

42. 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 12-36-117(1)(u), C.R.S.

43. This Order shall be admissible as evidence at any proceeding or future hearing before the Board.

44. 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.

45. 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.

46. 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, the Program Director, or other authorized person, it is void.

47. 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.

48. 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.

[REDACTED]
GREGORY DONALD DENZEL, D.O.

THE FOREGOING was acknowledged before me this 28 day of August, 2015, by Gregory Donald Denzel, D.O., in the County of Weld, State of Colorado.

RAEHEL LEE ALBRECHT
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144030777
COMMISSION EXPIRES AUG. 01, 2018

[REDACTED]
NOTARY PUBLIC

AUG. 01, 2018
My commission expires

THE FOREGOING Stipulation and Final Agency Order is approved this 8th day of October, 2015.

FOR THE COLORADO MEDICAL BOARD
INQUIRY PANEL A

[REDACTED]
BRECK M. BORDELON, M.D.
ACTING Chair, Inquiry Panel A ERIC R. GROCE D O

THE FOREGOING Stipulation and Final Agency Order is effective upon service to Respondent, on October 8, 2015.

APPROVED AS TO FORM

FOR RESPONDENT



~~John L. Skari, Jr., Esq.
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Denver CO 80202~~

Jackson Kelly LLC
1099 18th Street, Suite 2150
Denver CO 80202