

NEVADA STATE BOARD OF PHARMACY

431 W Plumb Lane – Reno, NV 89509

CONTROLLED SUBSTANCE APPLICATION

Registration Fee: \$80.00 (non-refundable money order only, no cash)

(This application can not be used by PA's or APRN's)

First: Michael Middle: Joseph Last: Ynder Degree: DO

Practice Name (if any): Forte Family Practice

Nevada Address: 9010 W. Choyenne LN NV 89129 Suite #: _____
(This must be a practicing address, we will not issue a license to a home address or to a PO Box only)

PO Box: _____

SS#: _____

E-mail address: _____

City: Las Vegas State: NV Zip Code: 89129

Work Telephone: 702-240-8646 Date of Birth: _____

Fax: 702-240-8646 Sex: ☒ M or ☐ F

Practitioner License Number: 002105 Specialty: F.P

You must have a current Nevada license with your respective BOARD before we will process this application. The Nevada license must remain current to keep the controlled substance registration.

Been diagnosed or treated for any mental illness, including alcohol or substance abuse, or Physical condition that would impair your ability to perform the essential functions of your license?...		Yes	No
1. Been charged, arrested or convicted of a felony or misdemeanor in <u>any</u> state?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Been the subject of a board citation or an administrative action whether completed or pending in <u>any</u> state?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. Had your license subjected to any discipline for violation of pharmacy or drug laws in <u>any</u> state?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

If you marked **YES** to any of the numbered questions (1-3) above, include the following information & **provide an explanation and documentation:**

Board Administrative Action:	State	Date:	Case #:
	<u>CO</u>	<u>06/01/2014</u>	<u>2014-4701 B 2014-4431 B 2015-4026 B</u>
Criminal Action:	State	Date:	Case #:
		County	Court

It is a violation of Nevada law to falsify this application and sanctions will be imposed for misrepresentation. I hereby certify that I have read this application. I certify that all statements made are true and correct.

I understand that Nevada law requires a licensed physician who, in their professional or occupational capacity, comes to know or has reasonable cause to believe, a child has been abused/neglected, to report the abuse/neglect to an agency which provides child welfare services or to a local law enforcement agency.

Original Signature, no copies or stamps accepted. Michael Ynder

Date 7-20-16

Board Use Only: : Date Processed: 8/9/16 Amount: \$80.00

E-MAILED
12 819



MEMBERS:

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NEVADA STATE
BOARD OF OSTEOPATHIC MEDICINE
2275 Corporate Circle, Suite 210
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Ph. 702-732-2147 Fax: 702-732-2079
www.bom.nv.gov

Barbara Longo, CMBI
Executive Director

Steven Ray, CMBI
Chief of Enforcement

August 3, 2016

Proassurance Malpractice Insurance

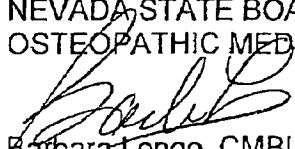
RE: Michael Yudez, D.O.

To whom It may concern:

Michael Yudez, D.O. came before the Nevada State Board of Osteopathic Medicine on June 14, 2016. The Board had all of the documentation regarding Dr. Yudez including the information that he voluntarily surrendered his Colorado license. It was the unanimous vote of the Board that Dr. Yudez was fully fit to practice and treat the patients of Nevada. Dr. Yudez was granted a full license with an effective date of July 1, 2016.

Sincerely,

NEVADA STATE BOARD OF
OSTEOPATHIC MEDICINE


Barbara Longo, CMBI
Executive Director



Nevada State BOARD OF OSTEOPATHIC MEDICINE

Licensee Information

Nevada State - Board of Osteopathic Medicine Verification as of August, 09 2016

Licensee Information

Name: Michael Yudez
 Address: Forte Family Practice
 9010 W. Cheyenne
 Las Vegas, NV 89129
 Phone: (702) 240-8646
 Fax: (702) 932-8347
 School: University of Health Sciences College of
 Osteopathic Medicine Kansas City
 Residency: Rocky Mountain Hospital (Residency) (1984-
 08-01 to 1985-07-31)
 Des Moines General (Internship) (1983-07-
 01 to 1984-06-30)
 Specialty: AOA - Family Practice/General
 Practice/Family Medicine

License Details

License Type: D.O. License
 License Number: DO2105
 License Status: Active
 Effective: 07/01/2016
 Expires: 12/31/2016

License History

License	License Number	License Date	Status
D.O. License	DO2105	07/01/2016 to 12/31/2016	Active

Disciplinary Action

Licensee has no Disciplinary Actions

Other State Disciplinary Actions

Licensee has no Disciplinary Actions Outside of Nevada

Malpractice Claims

Licensee has no Malpractice Claims on File

This is a Primary Source Verification.

Please note that the settlement of a medical malpractice action may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the provider. Therefore, there may be no disciplinary action appearing for a licensee even though there is a closed malpractice claim on file. A payment in the settlement of medical malpractice does not create a presumption that medical malpractice occurred.

For further questions regarding discipline or malpractice information, please contact:
 Barbara Longo, blongo@bom.nv.gov (702) 732-2147 x223.

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Print

Back

BEFORE THE COLORADO MEDICAL BOARD
STATE OF COLORADO

CASE NOS. 2014-4701-B, 2014-4431-B, 2015-4026-B

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE
LICENSE TO PRACTICE MEDICINE IN THE STATE OF COLORADO OF
MICHAEL J. YUDEZ, D.O., LICENSE NUMBER DR-26232,

Respondent.

IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel B
("Panel") of the Colorado Medical Board ("Board") and Michael J. Yudez, 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 July 19, 1984 and was issued license number DR-26232, 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 April 16, 2015, the Panel reviewed case numbers 2014-4701-B and 2014-4431-B and determined that further proceedings by formal complaint were warranted pursuant to Section 12-36-118(4)(c)(IV), C.R.S. The Panel thereupon referred the matter to the Attorney General pursuant to Section 12-36-118(4)(c)(IV), C.R.S.
4. On December 17, 2015, the Panel reviewed case number 2015-4026-B and referred the matter to the Attorney General to be combined with case numbers 2014-4701-B and 2014-4431-B.
5. 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 2014-4701-B, 2014-4431-B, and 2015-4026-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.

6. Respondent understands that:

a. Respondent has the right to be represented by an attorney of the 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 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

7. The Respondent acknowledges and the Panel finds that, if the Panel were to prove the following facts at hearing, it would constitute a prima facie case of unprofessional conduct as defined in the Medical Practice Act, and would subject Respondent to discipline. Respondent denies the following allegations:

a. On June 17, 2005, the Panel and Respondent entered into a Stipulation for Interim Cessation of Practice. The parties agreed to stay a summary suspension in exchange for Respondent's agreement to suspend his practice temporarily.

b. Since June 21, 2007, Respondent has continuously been on probation, subject to restrictions and conditions on his practice of medicine pursuant to Board orders collectively addressing case numbers 2005-004048-B, 2006-00015-B, 2009-002580-B, 2012-5893-B, and 2013-2277-B, including a June 21, 2007 Stipulation and Final Agency Order, an October 20, 2011 Second Stipulation and Final Agency Order and an April 1, 2014 Third Stipulation and Final Agency Order. In addition to imposing probationary terms on Respondent, all three orders admonished him for unprofessional conduct.

c. In addition to other probationary terms, the 2014 order prohibited Respondent from prescribing, possessing, maintaining a supply of, administering, or dispensing any controlled substance or other habit forming drug for a minimum of five years from April 1, 2014.

d. In light of Respondent's August and November 2012 failures to successfully complete the ProBE Professional/Problem Based Ethics Program with an unconditionally passing assessment, as required by the 2011 order, the 2014 order required that Respondent complete the ProBE Plus course.

e. By letter dated June 13, 2014, the Board was informed by CPEP that Respondent had failed the ProBE Plus course.

f. In August 2014, Respondent provided medical care to Patients A, B, and C.

g. Respondent failed to meet the generally accepted standards of medical practice in his care and treatment of Patient A on or about August 8, 2014 by failing to perform a sufficient assessment and physical examination of Patient A and to order necessary laboratory tests under the clinical circumstances.

h. Respondent failed to make essential entries in Patient A's medical record for August 8, 2014 when he did not document a sufficient assessment and physical examination under the clinical circumstances.

i. Respondent failed to meet the generally accepted standards of medical practice in his care and treatment of Patient B on or about August 15, 2014 by failing to appropriately treat and prescribe and to conduct a sufficient physical examination under the clinical circumstances.

j. Respondent failed to make essential entries and made incorrect essential entries in Patient B's medical record for August 15, 2014 when he did not document a sufficient assessment and physical examination under the clinical circumstances and documented incorrect treatment and procedures.

k. Respondent failed to meet the generally accepted standards of medical practice in his care and treatment of Patient C on or about August 15, 2014 by continuing inappropriate treatment and by failing to order and review appropriate laboratory results under the clinical circumstances.

1. Respondent failed to make essential entries in Patient C's medical record for August 15, 2014 when he did not document a review of appropriate laboratory results or a consideration of the risks of the continued treatment under the clinical circumstances.

m. Between April 1, 2014 and July 1, 2015, while subject to the 2014 order's prescribing restriction, Respondent is the listed prescriber of controlled substances to multiple individuals.

8. Respondent admits and the Panel finds that the acts or omissions described in the factual basis above, if proven, constitute unprofessional conduct pursuant to Section 12-36-117(1)(p), (u), and (cc), C.R.S., which states:

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

(p) Any act or omission that fails to meet generally accepted standards of medical practice;

...
(u) Violation of any valid board order or any rule or regulation promulgated by the board in conformance with law;

...
(cc) Falsifying or repeatedly making incorrect essential entries or repeatedly failing to make essential entries on patient records[.]

9. Based upon the above, the parties stipulate that the terms of this Order are authorized by Section 12-36-118(5)(g)(III), C.R.S.

RELINQUISHMENT OF LICENSE

10. Commencing on the effective date of this Order, Respondent's License in the State of Colorado is permanently relinquished. Respondent understands and acknowledges that he is permanently relinquishing a license to practice in Colorado. Respondent agrees not to apply for reactivation, reinstatement or issuance of a new license to practice medicine in Colorado at any time in the future. Respondent specifically waives any right to which he may be entitled pursuant to Section 12-36-118(5)(i), C.R.S. regarding application for licensure.

11. Following relinquishment of Respondent's license, Respondent shall perform no act requiring a license issued by the Board, 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.

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, or is applying or later applies for licensure in any other jurisdiction, Respondent shall report this Order to all other jurisdictions in which Respondent is licensed or is applying for licensure.
16. Respondent shall submit an update to his 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 clinical privileges at the following hospitals:

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 12-36-117(1)(u), 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.

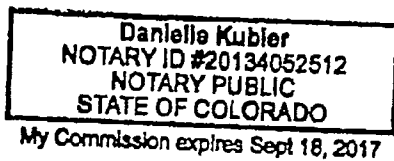
23. This Order shall be effective upon (a) mailing by first-class mail to Respondent at Respondent's address of record with the Board, or (b) service by electronic means on Respondent at Respondent's electronic address of record with the Board. Respondent hereby consents to service by electronic means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

THE FOREGOING was acknowledged before me this 1 day of
Feb, 2016 by Michael J. Yudez, D.O. in the County of Adams,
State of Colorado.



Danielle Kubler
NOTARY PUBLIC

Sept. 18, 2017
My commission expires

THE FOREGOING Stipulation and Final Agency Order is approved this 19th
day of February, 2016.

FOR THE COLORADO MEDICAL BOARD
INQUIRY PANEL B

Ty T. Higuchi
Ty T. Higuchi, M.D., Ph.D.
Chair, Inquiry Panel B

THE FOREGOING Stipulation and Final Agency Order is effective upon
service to Respondent, on February 19, 2016.

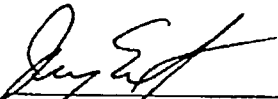
Lisa E. Jadeson

APPROVED AS TO FORM:

FOR THE RESPONDENT
MICHAEL J. YUDEZ, D.O.

FOR THE COLORADO MEDICAL
BOARD

TREECE ALFREY MUSAT P.C.



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