

BEFORE THE COLORADO MEDICAL BOARD
STATE OF COLORADO
CASE NO: 2016-2176-A

NOTICE OF RIGHT TO REQUEST POST-SUSPENSION HEARING

IN THE MATTER OF THE LICENSE TO PRACTICE MEDICINE AS A
PHYSICIAN IN THE STATE OF COLORADO OF BENJAMIN A. DEATON,
M.D., LICENSE NO. DR-56143,

Respondent.

NOTICE

COMES NOW the Colorado Medical Board (the "Board"), Inquiry Panel A (the "Panel") and gives notice to Benjamin A. Deaton, M.D., that on April 22, 2016, the Panel ordered that suspension of your license to practice medicine in the State of Colorado occur pursuant to Section 24-4-104(4), C.R.S., **effective at 6:00 p.m., Friday, April 22, 2016.** This notice is being provided pursuant to the Board Rules and Regulations Regarding Suspensions, Rule 280. Those Rules and Regulations are attached for your reference.

You may request a hearing before the Panel at its next regularly scheduled meeting, which occurs on **May 18, 2016**, beginning at **12:30 p.m.**, to offer evidence or legal argument as to why the suspension should be set aside, but must do so no later than **12:00 p.m. on Friday, April 29, 2016**, by submitting such request in writing to the attention of Karen M. McGovern, Program Director for the Board, 1560 Broadway, Suite 1300, Denver, Colorado 80202. A request for a hearing may be submitted electronically to Ms. McGovern at karen.mcgovern@state.co.us.

You may submit any written materials up to a limit of 30 pages to the attention of Karen M. McGovern, Program Director for the Board, 1560 Broadway, Suite 1300, Denver, Colorado 80202, but must do so prior to the deadline of **12:00 p.m. on Friday, April 29, 2016**. Submissions may be made electronically to Ms. McGovern at karen.mcgovern@state.co.us. Written materials submitted by this deadline will be distributed to Panel members prior to the meeting. Written materials not submitted by this deadline may be presented during the hearing as set forth in the attached Rules and Regulations regarding suspension.

BASIS

On April 22, 2016, the Panel reviewed materials relating to case number 2016-2176-A and found that based upon the information reviewed, the Panel had reasonable

grounds to believe that the public health, safety, or welfare imperatively requires emergency action and/or that Respondent was guilty of a deliberate and willful violation of the Medical Practice Act. The Panel reviewed information and found that Respondent, who is licensed in Texas, had been monitoring with the Texas physician health program for a physical or mental illness or condition. The Panel reviewed information that Respondent did not disclose to the Board on his application for Colorado medical licensure that he had a physical or mental illness or condition that could impact his ability to practice medicine with reasonable skill and safety to patients. The Panel also reviewed information that Respondent self-referred to the Colorado Physician Health Program ("CPHP") after he submitted his application for licensure, that CPHP began its evaluation after Respondent was granted a license to practice medicine, and that Respondent has not complied with CPHP's requirements for evaluation to date. Additionally, the Panel reviewed information that Respondent was not compliant with monitoring through the Texas physician health program.

The Panel considered this information and determined, upon full investigation, that it has objective and reasonable grounds to believe and finds that Respondent deliberately and willfully violated the Medical Practice Act and/or that the public health, safety, or welfare imperatively requires emergency action pursuant to Section 24-4-104(4), C.R.S.

Dated this 22nd day of April, 2016.

FOR THE COLORADO MEDICAL BOARD
INQUIRY PANEL A



Karen M. McGovern
Program Director
Colorado Medical Board
1560 Broadway, Suite 1300
Denver, Colorado 80202

Delegated by Panel A to sign on its behalf

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within **NOTICE OF RIGHT TO REQUEST POST-SUSPENSION HEARING** upon all parties herein by the delivery methods as identified below, at Denver, Colorado, this 22nd day of April, 2016 addressed as follows:

<input checked="" type="checkbox"/> By United States mail, postage prepaid <input type="checkbox"/> By Electronic Mail Benjamin A. Deaton, M.D. 1701 Hermann Dr., Unit 3003 Houston, TX 77004-7331 <i>Address of record</i>	<input type="checkbox"/> By United States mail, postage prepaid <input checked="" type="checkbox"/> By Electronic Mail Benjamin A. Deaton, M.D. medsbad@hotmail.com <i>Electronic Address of record</i>
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Copy sent via interagency mail, electronic mail or facsimile to:

Ashley Moller Klein
Senior Assistant Attorney General
Colorado Department of Law
ashley.klein@coag.gov


