

BEFORE THE COLORADO MEDICAL BOARD

STATE OF COLORADO

CASE NO. 2023-3139-A

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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 RICKEY CLINT GRAY, M.D., LICENSE NUMBER DR.49902,

Respondent.

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IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel A (“Panel”) of the Colorado Medical Board (“Board”) and Rickey Clint Gray, 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 April 5, 2011 and was issued license number DR.49902, 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 January 11, 2024, the Panel reviewed case number 2023-3139-A and determined that further proceedings by formal complaint were warranted pursuant to Section 12-240-125(4)(c)(V), C.R.S. The Parties have agreed to resolution of this matter prior to referral to the Attorney General.

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 2023-3139-A, 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 is represented by counsel in this matter;

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 March 5, 2023, Patient was referred to the emergency department and then to a psychiatric hospital on a 72-hour, M1 mental health hold after he was described as out of control at his boarding home.

b. Respondent was Patient's treating psychiatrist at the psychiatric hospital to which he had been referred.

c. Paliperidone is an atypical antipsychotic medication with a recommended monthly intramuscular (IM) dose of 234 mg.

d. Prior to admission to the hospital, Patient had received a 234 mg IM injection of paliperidone on February 23, 2023.

e. On March 6, 2023, one day after admission, Patient received a 50 mg A.M. oral dose of Clozapine, another atypical antipsychotic medication. At 2 P.M., Patient received a 234 mg IM injection of paliperidone, 11 days after his previous injection of paliperidone.

f. On March 13, 2023, seven days later, Patient received another IM injection 156 mg of long-acting paliperidone.

g. Patient received 624 mg total of long-acting paliperidone within an 18- day period.

h. On March 14, 2023, Patient was discharged from the psychiatric hospital. Upon discharge Patient was observed by a family member to be

experiencing muscle stiffness, shaking, drooling, difficulty in speaking, unsteady gait, rapid breathing, and vomiting.

i. During the week following his discharge, Patient's psychiatric symptoms worsened, he was admitted for urgent care, and was ultimately diagnosed with Neuroleptic Malignant Syndrome (NMS).

j. NMS is a life-threatening neurologic emergency associated with the use of antipsychotic agents.

k. Respondent's treatment of Patient was substandard, in medication administration and therapeutic care management.

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)(j) C.R.S., which states:

(1) Unprofessional conduct" as used in this article 240 means:

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

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.

#### **LETTER OF ADMONITION**

9. This provision shall constitute a Letter of Admonition as set forth in Sections 12-240-125(4)(c)(IV) and 12-240-125(5)(c)(III), C.R.S. Respondent is hereby admonished for the acts and omissions described in the factual basis above.

10. By entering this Order, Respondent agrees to waive the rights provided by Section 12-20-404(4), C.R.S., to contest this Letter of Admonition.

#### **PROBATIONARY TERMS**

11. Respondent's license to practice medicine is hereby placed on probation indefinitely 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.

**MASTER PSYCHOPHARMACOLOGY PROGRAM**  
**Neuroscience Education Institute**

13. Respondent shall enroll in and successfully complete the online continuing medical education program titled Master Psychopharmacology Program through the Neuroscience Education Institute [<https://www.neiglobal.com>] within one year of the effective date of this Order. Respondent shall be solely responsible to enroll in and pay for the Master Psychopharmacology Program.

14. Respondent shall sign any and all releases necessary to allow the course instructors and/or facilitators to communicate with the Panel directly. Respondent shall not revoke such releases. Any failure to execute such a release or any revocation of such a release shall constitute a violation of this Order.

15. In order to successfully complete the Master Psychopharmacology Program, Respondent's participation and completion in the program must be rated as successful, without condition or qualification. The Board in its discretion may impose further remedial coursework if the Respondent receives a conditional pass or negative assessment.

16. Within one year of the effective date of this Order, Respondent shall provide the Panel with written proof of Respondent's successful completion of the pre-approved Master Psychopharmacology Program.

**TERMINATION OF INDEFINITE PROBATION**

17. After successful completion of all probationary terms other than treatment monitoring if ordered, Respondent may submit a written request for restoration of Respondent's license to unrestricted status. If Respondent has successfully complied with the requirements set forth in this paragraph, and all requirements of this Order, such release shall be granted by the Panel in the form of a written notice.

**OTHER TERMS**

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

19. 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.

20. 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.

21. If Respondent is licensed by any other jurisdiction, Respondent shall

report this Order to all other jurisdictions in which Respondent is licensed.

22. 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/she 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.

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

24. So that the Board may notify hospitals of this agreement pursuant to section 12-240-125(11), C.R.S., Respondent presently holds privileges at or is employed by the following hospitals and facilities:

Cedar Springs Hospital, 2135 Southgate Rd., Colo. Springs

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25. 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 12-240-125(5)(c)(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 12-240-125(5)(c)(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.

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

27. 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.

28. 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.

29. 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.

30. 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.

31. 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 the Federation of State Medical Boards, the National Practitioner Data Bank and as otherwise required by law.

  
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RICKEY CLINT GRAY, M.D.

THE FOREGOING Stipulation and Final Agency Order is approved this 26  
day of Aug, 2024.

FOR THE COLORADO MEDICAL BOARD  
INQUIRY PANEL A, approved this 4th day of September  
2024.



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Paula E. Martinez  
Program Director  
*Delegated Authority to Sign by Inquiry Panel*

THE FOREGOING Stipulation and Final Agency Order is effective upon service  
to Respondent, on September 4th, 2024.



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Keisha Thompson  
Enforcement Specialist