BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: WAYNE FRANCIS YAKES, M.D.
License Number: 0101-046905
Case Number: 175062

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Medicine ("Board") and Wayne Francis Yakes, M.D., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Yakes' license to practice medicine and surgery in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Wayne Francis Yakes, M.D., was issued License Number 0101-046905 to practice medicine and surgery on July 1, 1991, which is scheduled to expire on March 31, 2018.

2. Dr. Yakes violated Virginia Code § 54.1-2915(A)(5) in that:
   a. By Stipulation and Final Agency Order ("Colorado Order"), effective July 14, 2016, the Colorado Medical Board ("Colorado Board") placed his license on probation for five (5) years. The terms of probation include that he totally abstain from the use of alcohol and mood-altering substances unless he has received prior written approval from the treatment monitor, notify the treatment monitor within 24 hours of the use, and obtain written approval from the treatment monitor for its continued use. Further, Dr. Yakes shall abide by the recommendations of the Colorado Physician Health Program ("CPHP") and sign all required releases. After successful completion of five (5) years of monitoring by the CPHP, he may petition the Board to terminate the Treatment Monitoring terms set forth in this Order. This
action was based on facts that on or about February 12, 2016, in the County Court, Arapahoe County, State of Colorado, Dr. Yakes pled guilty to Driving While Ability Impaired and Failure to Drive in a Single Lane, an incident that occurred on June 11, 2015. He was sentenced to 90 days in jail, placed on two years of probation, to include monitored sobriety, alcohol education and therapy, 96 hours of community service, and payment of costs. In lieu of jail time, he received credit for completion of a 90-day residential treatment program for chemical dependency at Talbott Recovery Campus in Atlanta, Georgia.

b. By Consent Order effective February 13, 2017, the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation ("Illinois Board"), placed Dr. Yakes' license on Indefinite Probation for a minimum period of five (5) to include that he comply with the terms and conditions of the Colorado Order. This action was based on the disciplinary action taken by the Colorado Board.

CONSENT

Wayne Francis Yakes, M.D., by affixing his signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Bruce A. Montoya, Esq., and Katherine A. Knowles, Esq.;

2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 et seq.;

3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;

4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;

6. I consent to the entry of the following Order affecting my licensure to practice medicine and surgery in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS as follows:

1. Dr. Yakes shall fully comply with the terms and conditions of the Colorado Order and the Illinois Order, and shall advise this Board, in writing, of any change to the Orders within ten (10) calendar days of such change.

2. Upon receipt of evidence acceptable to the Board verifying that Dr. Yakes has completed the terms and conditions of the Colorado Order and the Illinois Order, the Board authorizes the Executive Director to close this matter.

Violation of this Order may constitute grounds for suspension or revocation of Dr. Yakes’ license. In the event that Dr. Yakes violates this Order, an administrative proceeding may be convened to determine whether such action is warranted.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

[Signature]
Jennifer Deschenes, J.D., M.S.
SEEN AND AGREED TO:

Wayne Francis Yakes, M.D.

STATE OF COLORADO
COUNTY/CITY OF ARAPAHOE, TO WIT:

Subscribed and sworn to me, a notary public in and for the State of Colorado at large, on this 26 day of MAY 86, 2017.

Notary Public

My commission expires: AUG 23, 2020

Registration No.: 20121254567