August 1, 2017

Via Attorney of Record

Wayne F. Yakes, M.D.
501 E. Hampden Avenue, Suite 4600
Englewood, CO 80113

Dear Dr. Yakes:

The North Carolina Medical Board (“NC Board”) has concluded its investigation related to your August 2010 Driving While Impaired charge and arrest, June 2015 Driving While Impaired charge and arrest and July 2016 Stipulation and Final Agency Order with the Colorado Medical Board. It is the NC Board’s decision not to commence formal proceedings against your North Carolina license at this time. However, the NC Board voted to issue you this public letter of concern. The NC Board does not consider a public letter of concern to be a disciplinary action or a limitation or restriction on your license.

The NC Board is concerned that you were arrested and charged with Driving While Impaired on August 20, 2010. The NC Board notes that this charge was dismissed. You were also arrested and charged with Driving While Impaired on June 11, 2015. The NC Board notes that you pled guilty to this charge on February 12, 2016. You have been continuously licensed as a physician in North Carolina since 2004 and the annual license renewal applications that you completed subsequent to your August 2010 Driving While Impaired charge and arrest required that you disclose all misdemeanor charges. You did not report the August 2010 charge and arrest on your annual renewal applications until March 5, 2016. Further, N.C. Gen. Stat. § 90-16(j) requires that arrests for driving while impaired be self-reported to the NC Board within thirty (30) days of the arrest. The NC Board cautions you to comply with all laws that apply to North Carolina licensed physicians, pay attention to detail in your future interactions with the NC Board and answer all questions posed to you by the NC Board accurately.

The NC Board also notes that, as a result of your July 2015 Driving While Impaired event, you entered into a Stipulation and Final Agency Order with the Colorado Medical Board on July 14, 2016 (“Colorado Order”). In relevant part, the Colorado Order placed your Colorado medical license on probation for five (5) years and required that you be monitored by the Colorado Physicians Health Program (“CPHP”) pursuant to a contract that you have with CPHP. The NC Board notes that you entered into a contract with the North Carolina Physicians Health Program (“NCPHP”) on February 20, 2017, and NCPHP advocates for you as safe to practice medicine. The NC Board advises you to comply with your contracts with CPHP and NCPHP and to follow all of their recommendations.
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The NC Board urges you to take steps to ensure that the conduct giving rise to the NC Board’s concerns does not happen again. Otherwise, the NC Board may vote to commence formal disciplinary proceedings against your license. If that happens, this letter may be entered into evidence in determining the appropriate discipline.

This letter is a public record within the meaning of Chapter 132 of the North Carolina General Statutes and is subject to public inspection and dissemination as required by that law. It will be reported to the Federation of State Medical Boards; however, it will not be reported to the National Practitioner Data Bank.

Sincerely,

Eleanor E. Greene, M.D.
President

EEG/PFB/Lt
Consent and Waiver

I, Wayne F. Yakes, M.D., would like to resolve this matter without the need for more formal proceedings and consent to the NC Board’s issuance of this public letter of concern in resolution of the above matter.

Consented to this the 28th day of July, 2017.

Wayne F. Yakes, M.D.

State of Colorado
County of Denver

I, Trisha Eckhardt, a Notary Public for the above named County and State, do hereby certify that Wayne F. Yakes, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

this the 28th day of July, 2017.

Trisha Eckhardt
Notary Public

(SEAL)

My Commission Expires: ____________

TRISHA L. ECKHARDT
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20084018057
MY COMMISSION EXPIRES MAY 28, 2020

North Carolina Medical Board