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8  
9 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11  
12 In the Matter of the Accusation Against:

Case No. 800-2016-020764

13 **AMANDA D. TUCKER, M.D.**

**DEFAULT DECISION  
AND ORDER**

14 P.O. Box 996  
Wailuku, HI 96793

[Gov. Code §11520]

15 Physician's and Surgeon's Certificate No.  
A43678

16  
17 Respondent.

18 On or about May 24, 2016, an employee of the Medical Board of California (Board), served  
19 by Certified Mail a copy of the Accusation No. 800-2016-020764, Statement to Respondent,  
20 Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and  
21 11507.7 to Amanda D. Tucker (Respondent) at her address of record with the Board, which was  
22 and is P.O. Box 996, Wailuku, HI 96793. According to the U.S. Postal Service Tracking  
23 Information, on May 27, 2016, the certified mail was returned to the Board marked "Moved Left  
24 No Address."

25 (Exhibit Package, Exhibit 1<sup>1</sup>: Accusation, the related documents, Declarations of Service,  
26 and U.S. Postal Service Tracking Information.)

27 <sup>1</sup> The evidence in support of this Default Decision and Order is contained in the "Exhibit  
28 Package."

1 Respondent has not responded to the Accusation. On June 29, 2016, an employee of the  
2 Attorney General's Office sent by certified and regular mail addressed to Respondent at her  
3 address of record a courtesy Notice of Default, advising Respondent of the Accusation, and  
4 providing Respondent with an opportunity to request relief from default. On July 11, 2016, the  
5 certified mail envelope was returned to the Attorney General's Office stamped "Unable to  
6 forward Return to Sender." The regular mail envelope was returned stamped "Attempted Not  
7 Known Return to Sender." (Exhibit Package, Exhibit 2: Courtesy Notice of Default, proof of  
8 service and returned envelopes.)

### 9 FINDINGS OF FACT

#### 10 I.

11 Complainant Kimberly Kirchmeyer is the Executive Director of the Board. The charges  
12 and allegations in Accusation No. 800-2016-020764 were at all times brought and made solely in  
13 the official capacity of the Board's Executive Director.

#### 14 II.

15 On or about May 26, 1987, the Board issued Physician's and Surgeon's Certificate No.  
16 A43678 to Respondent. Said license expired on January 31, 2013 and was in delinquent status.  
17 On March 30, 2016, the Board issued an Out-of-State Suspension Order pursuant to Section  
18 2310(a) of the Business and Professions Code. (Exhibit Package, Exhibit 3: Certificate of  
19 License.)

#### 20 III.

21 On or about May 24, 2016, Respondent was served with an Accusation, alleging causes for  
22 discipline against Respondent. The Accusation and accompanying documents were duly served  
23 on Respondent. A courtesy Notice of Default was thereafter served on Respondent. Respondent  
24 failed to file a Notice of Defense.

#### 25 IV.

26 The allegations of the Accusation are true as follows:

27 On February 24, 2016, the Colorado Medical Board issued an Order of Suspension  
28 summarily suspending Respondent's license to practice medicine in that state. The Order states

1 that Respondent was ordered by the Colorado Medical Board to undergo an evaluation to  
2 determine whether she had any mental or physical illness or condition that might impact her  
3 ability to practice medicine safely, and that Respondent failed to take all of the steps necessary to  
4 complete the evaluation. Respondent's license was suspended effective February 26, 2016.  
5 (Exhibit Package, Exhibit 1, Attachment A: Order of Suspension issued by the Colorado Medical  
6 Board.)

7 DETERMINATION OF ISSUES

8 Pursuant to the foregoing Findings of Fact, Respondent's conduct and the action of the  
9 Colorado Medical Board constitute cause for discipline within the meaning of Business and  
10 Professions Code sections 2305 and/or 141.

11 ORDER

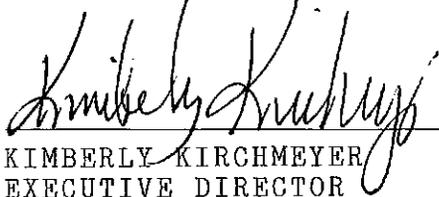
12 IT IS SO ORDERED that Physician's and Surgeon's Certificate No. A43678, heretofore  
13 issued to Respondent AMANDA D. TUCKER, M.D., is **REVOKED**.

14 Respondent shall not be deprived of making a request for relief from default as set forth in  
15 Government Code section 11520, subdivision (c), for good cause shown. However, such showing  
16 must be made in writing by way of a motion to vacate the default decision and directed to the  
17 Medical Board of California at 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815 within  
18 seven (7) days after service of the Decision on Respondent.

19 This Decision shall become effective on September 23, 2016.

20 It is so ORDERED August 26, 2016.

21  
22 MEDICAL BOARD OF CALIFORNIA  
23 DEPARTMENT OF CONSUMER AFFAIRS  
24 STATE OF CALIFORNIA

25 By   
26 KIMBERLY KIRCHMEYER  
EXECUTIVE DIRECTOR

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FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO May 24 20 16  
BY R. Firdaus ANALYST

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:  
**AMANDA D. TUCKER, M.D.**  
P.O. Box 996  
Wailuku, HI 96793  
  
Physician's and Surgeon's Certificate No. A  
43678  
  
Respondent.

Case No. 800-2016-020764  
**ACCUSATION**

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).
  2. On or about May 26, 1987, the Medical Board issued Physician's and Surgeon's Certificate No. A 43678 to Amanda D. Tucker, M.D. (Respondent). Said license is in a delinquent status. On March 30, 2016, the Board issued an Out-of-State Suspension Order – No Practice, thereby suspending Respondent's license pursuant to Section 2310(a) of the Business and Professions Code.
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1 **JURISDICTION**

2 3. This Accusation is brought before the Board under the authority of the following  
3 sections of the California Business and Professions Code ("Code") and/or other relevant statutory  
4 enactment:

5 A. Section 2227 of the Code provides in part that the Board may revoke,  
6 suspend for a period not to exceed one year, or place on probation, the license of any  
7 licensee who has been found guilty under the Medical Practice Act, and may recover the  
8 costs of probation monitoring.

9 B. Section 2305 of the Code provides, in part, that the revocation, suspension,  
10 or other discipline, restriction or limitation imposed by another state upon a license to  
11 practice medicine issued by that state, or the revocation, suspension, or restriction of the  
12 authority to practice medicine by any agency of the federal government, that would have  
13 been grounds for discipline in California under the Medical Practice Act, constitutes  
14 grounds for discipline for unprofessional conduct.

15 C. Section 141 of the Code provides:

16 "(a) For any licensee holding a license issued by a board under the jurisdiction  
17 of a department, a disciplinary action taken by another state, by any agency of the  
18 federal government, or by another country for any act substantially related to the  
19 practice regulated by the California license, may be a ground for disciplinary  
20 action by the respective state licensing board. A certified copy of the record of the  
21 disciplinary action taken against the licensee by another state, an agency of the  
22 federal government, or by another country shall be conclusive evidence of the  
23 events related therein.

24 (b) Nothing in this section shall preclude a board from applying a specific  
25 statutory provision in the licensing act administered by the board that provides for  
26 discipline based upon a disciplinary action taken against the licensee by another  
27 state, an agency of the federal government, or another country."

28 **FIRST CAUSE FOR DISCIPLINE**

(Discipline, Restriction, or Limitation Imposed by Another State)

4. On February 24, 2016, the Colorado Medical Board issued an Order of Suspension  
summarily suspending Respondent's license to practice medicine in that state. The Order states  
that Respondent was ordered by the Colorado Medical Board to undergo an evaluation to  
determine whether she had any mental or physical illness or condition that might impact her

1 ability to practice medicine safely, and that Respondent failed to take all of the steps necessary to  
2 complete the evaluation. Respondent's license was suspended effective February 26, 2016. A  
3 true and correct copy of the Order of Suspension issued by the Colorado Medical Board is  
4 attached as Exhibit A.

5 5. Respondent's conduct and the action of the Colorado Medical Board, as set forth  
6 in paragraph 4 above, constitute cause for discipline pursuant to sections 2305 and/or 141 of the  
7 Code.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
10 and that following the hearing, the Medical Board of California issue a decision:

- 11 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 43678, issued  
12 to Amanda D. Tucker, M.D.;
- 13 2. Revoking, suspending or denying approval of Amanda D. Tucker, M.D.'s authority to  
14 supervise physician assistants, pursuant to section 3527 of the Code;
- 15 3. Ordering Amanda D. Tucker, M.D., if placed on probation, to pay the Board the costs  
16 of probation monitoring; and
- 17 4. Taking such other and further action as deemed necessary and proper.

18  
19 DATED: May 24, 2016

  
20 KIMBERLY KIRCHMEYER  
21 Executive Director  
22 Medical Board of California  
23 Department of Consumer Affairs  
24 State of California  
25 Complainant

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EXHIBIT A

BEFORE THE COLORADO MEDICAL BOARD  
STATE OF COLORADO



Case No. 2015-3093-A

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**ORDER OF SUSPENSION FROM THE PRACTICE AS A PHYSICIAN PURSUANT TO  
SECTION 12-36-118(9)(A), C.R.S.**

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IN THE MATTER OF THE LICENSE TO PRACTICE AS A PHYSICIAN IN THE STATE OF  
COLORADO OF AMANDA DAWN TUCKER M.D., LICENSE NUMBER DR-32131,

Respondent.

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TO: Amanda Dawn Tucker, M.D.

THIS MATTER came before Inquiry Panel A ("Panel") of the Colorado Medical Board ("Board") as Board Case Number 2015-3093-A, on February 23, 2016. After careful review and consideration, the Panel has reasonable cause to believe and finds that Amanda Dawn Tucker, M.D., ("Respondent") failed to comply with a valid Board Order issued pursuant to Section 12-36-118(9)(a), C.R.S., and orders that the license to practice as a physician in the state of Colorado of Amanda Dawn Tucker, M.D., be suspended summarily pursuant to Section 12-36-118(9)(a), C.R.S. In support of this Order of Suspension from the Practice of Medicine ("Order of Suspension"), the Panel finds as follows:

1. Respondent is licensed to practice as a physician in the state of Colorado pursuant to license number DR-32131, which was issued on or about October 8, 1992.

2. On or about August 20, 2015, the Board ordered Respondent to the Colorado Physician Health Program ("CPHP") for an evaluation of Respondent to determine whether she had any physical or mental illnesses or conditions that might impact her ability to practice medicine with reasonable skill and safety to patients ("Order to CPHP"). The Order to CPHP required Respondent:

- a. To contact CPHP no later than August 26, 2015;
- b. To execute no later than August 26, 2015, all releases to allow unrestricted communication between CPHP and the Panel;
- c. To schedule and attend an initial intake appointment with CPHP no later than August 26, 2015;
- d. To appear for all appointments with CPHP;
- e. To provide any information requested by CPHP;
- f. To schedule timely appointments as requested or recommended by CPHP;
- g. To otherwise cooperate fully with CPHP;

- h. To continue to cooperate fully with CPHP; and,
- i. To comply with any and all requests or recommendations CPHP deems appropriate to facilitate all examinations necessary to determine if Respondent is unable to practice medicine with reasonable skill and safety to patients because of a condition described in section 12-36-117(1)(i) or (o) or section 12-36-118.5(1), C.R.S.

3. On February 23, 2016, the Panel reviewed a status report from CPHP dated January 22, 2016. The CPHP status report stated that CPHP had been unable to complete its evaluation because Respondent had not taken all of the steps toward completion of the CPHP evaluation.

4. Respondent has failed to cooperate fully with CPHP. Respondent has failed to comply with CPHP's requests to facilitate all examinations necessary to determine if Respondent is unable to practice as a physician with reasonable skill and safety to patients because of a condition described in section 12-36-117(1)(i) or (o), C.R.S.

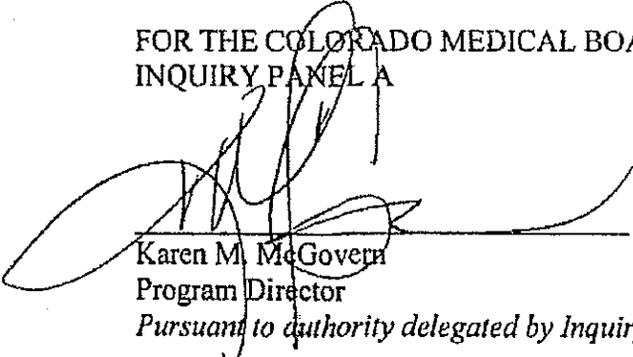
5. Pursuant to the Order to CPHP and Section 12-36-118(9)(a), C.R.S., Respondent's failure to comply with the requirements of the Order to CPHP are grounds for suspension. The Panel finds that Respondent has failed to comply with CPHP's requirement for evaluation and thus has failed to comply with the requirements of the Order to CPHP.

6. Pursuant to Section 12-36-118(9)(a), C.R.S., the Panel is authorized to suspend Respondent's license to practice as a physician in the State of Colorado.

THEREFORE IT IS ORDERED, in accordance with Section 12-36-118(9)(a), C.R.S., that the license to practice as a physician of Amanda Dawn Tucker, M.D. is suspended effective 4:00 p.m. on Friday, February 26, 2016. Such suspension shall remain in effect until such time as Respondent has met the recommendations made by CPHP, Respondent has come into compliance with CPHP's evaluation efforts, CPHP has provided adequate confirmation to the Panel of Respondent's full compliance with the Board's Order to CPHP and Respondent has received written notice from the Board that the suspension has been terminated.

DATED AND SIGNED this 24<sup>th</sup> day of February, 2016.

FOR THE COLORADO MEDICAL BOARD  
INQUIRY PANEL A

  
Karen M. McGovern  
Program Director

*Pursuant to authority delegated by Inquiry Panel A*

