BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

OF THE DEPARTMENT OF COMMERCE

OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSES OF **F. MICHAEL CRANE, MD** TO PRACTICE MEDICINE AND TO ADMINISTER AND PRESCRIBE CONTROLLED SUBSTANCES IN THE STATE OF UTAH	**DEFAULT ORDER** Case No. DOPL-2006-202

The attached Notice of Entry of Default and Recommended Order are hereby adopted by the Director of the Division of Occupational and Professional Licensing of the State of Utah Respondent's licenses to practice medicine and to administer and prescribe controlled substances are thus revoked, effective the date of this Order.

IT IS FURTHER ORDERED that the revoked licenses, both wall and wallet sizes, as well as any embossed certificate, thus be surrendered to the Division of Occupational and Professional Licensing.

Dated this 19th day of December, 2006.

J. Craig Jackson
Director

S E A L

Pursuant to Subsection 63-46b-11(3), Respondent may seek to set aside the above-stated default order by filing such a request with the Division consistent with the procedures outlined in the Utah Rules of Civil Procedure

BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

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IN THE MATTER OF THE LICENSES OF **F. MICHAEL CRANE, MD** TO PRACTICE MEDICINE AND TO ADMINISTER AND PRESCRIBE CONTROLLED SUBSTANCES IN THE STATE OF UTAH	**NOTICE OF ENTRY OF DEFAULT AND RECOMMENDED ORDER** Case No. DOPL-2006-202

BY THE ADMINISTRATIVE LAW JUDGE:

This adjudicative proceeding was initiated pursuant to the issuance of an October 3, 2006 notice of agency action. The notice recites Respondent was required to file a response within thirty (30) days of the mailing date of the notice. The October 3, 2006 notice was sent to Respondent's last known address by certified mail and that notice was thus received by an Elsie Espinoza on October 5, 2006.

Respondent has not filed a response in this proceeding. The Division thus filed a November 22, 2006 motion for entry of Respondent's default based on his failure to have filed a response. Utah Code Ann. §63-46b-11(1)(c) provides an orderof default may enter if a respondent in a formal adjudicative proceeding fails to file a response.

Given Respondent's failure to have filed a response to the October 3, 2006 Petition, the Court concludes a proper basis exists to enter Respondent's default and it is so entered. After

the entry of a default order, §63-46b-11(4)(a) provides the presiding officer shall conduct further proceedings as necessary to complete the adjudicative proceeding without the participation of the party in default. §63-46b-11(4)(a) also provides a determination shall be made of all issues in the adjudicative proceeding, including those affecting the defaulting party.

The Court thus adopts the allegations set forth in Paragraph (3) of the October 3, 2006 Petition as its Findings of Fact. The Court also adopts the first paragraph on Page 4 of the October 3, 2006 Petition as its Findings of Fact and Conclusions of Law

Specifically, the Court concludes Respondent engaged in unprofessional conduct violative of §58-1-501(2)(d) when his Colorado medical license was suspended on May 30, 2006 and that suspension was based on conduct which, had it occurred in this state, could have prompted a suspension of Respondent's Utah license. The Court thus concludes a proper factual and legal basis exists to enter a disciplinary sanction as to Respondent's licenses Absent any matters offered in defense or mitigation, the Court concludes the following Recommended Order is warranted

RECOMMENDED ORDER

WHEREFORE, IT IS ORDERED Respondent's licenses to practice medicine and to administer and prescribe controlled substances in this state shall be revoked, effective the date this Recommended Order may be adopted

I hereby certify the foregoing Notice of Entry of Default, Findings of Fact, Conclusions of Law and Recommended Order were submitted to J. Craig Jackson, Director of the Division of Occupational and Professional Licensing, on the 19th day of December, 2006 for his review and action.

J. Steven Eklund
Administrative Law Judge