

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

In the Matter of the Accusation  
Against:

Kathy Maureen McCourt, M.D.  
106 West 5<sup>th</sup> Avenue #5  
San Mateo, CA 94402

Physician's and Surgeon's  
Certificate No. A 46539

Respondent

Case No. 05-1999-098712

AGREEMENT FOR  
SURRENDER OF LICENSE

TO ALL PARTIES:

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings, that the following matters are true:

1. Complainant, William Prasifka, is the Executive Director of the Medical  
Board of California, Department of Consumer Affairs ("Board").

2. Kathy Maureen McCourt., M.D. ("Respondent") has carefully read and  
fully understands the effect of this Agreement.

3. Respondent understands that by signing this Agreement she is  
enabling the Board to issue this order accepting the surrender of license without  
further process. Respondent understands and agrees that Board staff and  
counsel for complainant may communicate directly with the Board regarding this  
Agreement, without notice to or participation by Respondent. The Board will not  
be disqualified from further action in this matter by virtue of its consideration of this  
Agreement.

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1           4.       Respondent acknowledges there is current disciplinary action against  
2 her license, that on August 13, 2001, a First Amended Accusation was filed  
3 against her and on October 5, 2001, a Decision was rendered wherein her license  
4 was revoked, with the revocation stayed, and placed on 5 years' probation with  
5 various standard terms and conditions.

6           5.       The current disciplinary action provides in pertinent part, "Following the  
7 effective date of this Decision, if Respondent ceases practicing due to retirement,  
8 health reasons, or is otherwise unable to satisfy the terms and conditions of  
9 probation, Respondent may voluntarily tender her certificate to the Board."  
10 (Condition #34).

11           6.       Upon acceptance of the Agreement by the Board, Respondent  
12 understands she will no longer be permitted to practice as a physician and  
13 surgeon in California, and also agrees to surrender her wallet certificate, wall  
14 license and any D.E.A. Certificate(s) for an address in California.

15           7.       Respondent fully understands and agrees that if Respondent ever files  
16 an application for relicensure or reinstatement in the State of California, the Board  
17 shall treat it as a Petition for Reinstatement of a revoked license in effect at the  
18 time the Petition is filed. In addition, any Medical Board Investigation Report(s),  
19 including all referenced documents and other exhibits, upon which the Board is  
20 predicated, and any such Investigation Report(s), attachments, and other exhibits,  
21 that may be generated subsequent to the filing of this Agreement for Surrender of  
22 License, shall be admissible as direct evidence, and any time-based defenses,  
23 such as laches or any applicable statute of limitations, shall be waived when the  
24 Board determines whether to grant or deny the Petition.

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