



Kentucky Board of Medical Licensure Newsletter

Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, KY 40222

Phone (502) 429-7150

Fax (502) 429-7158

Website www.kbml.ky.gov

Winter 2021

Michael S. Rodman, Executive Director

Sandra R. Shuffett, M.D., President

President

Sandra R. Shuffett, M.D.
Nicholasville

Vice President

William C. Thornbury, M.D.
Glasgow

Secretary

Waqar A. Saleem, M.D.
Louisville, KY

Caren L. Daniels, M.D.
Morehead

James M. Foster, Esq.
Hopkinsville

Heidi M. Koenig, M.D.
Louisville

Mark A. Schroer, M.D.
Newport

David W. Wallace, M.D.
Shelbyville

Bill A. Webb, D.O.
Pikeville

Consumer Representatives

Philip D. Williamson, Esq.
Ft. Thomas

Kristin Ann Turner, Esq.
Alexandria

Ex-Officio Members

Dana C. Shaffer, D.O., Dean
University of Pikeville

Robert S. DiPaola, M.D., Dean
University of Kentucky

Mary Nan Mallory, M.D.,
Vice Dean for Clinical Affairs
University of Louisville

Steven J. Stack, M.D.
Commissioner for Public Health

Important Reminder on Upcoming Implementation of Kentucky EPCS - Mandatory Electronic Prescribing of Controlled Substances

Once again, the Board would like to remind all of its licensees that KRS 218A.182 mandates the electronic prescribing of controlled substances (EPCS) in Kentucky became **effective January 1, 2021**. The Kentucky mandate is similar to the federal Medicare Part D EPCS mandate effective January 1, 2021, but applies to all controlled substances prescribed in Kentucky - regardless of payer.

It is important to note that some controlled substance prescriptions will be exempt from the Kentucky EPCS mandate. The complete list of exceptions is found in KRS 218A.182. Examples include:

- Prescriptions issued by veterinarians
- Prescriptions issued for hospice patients or residents of a nursing facility
- Prescriptions issued during a temporary technological or electrical failure
- Prescriptions issued for extemporaneous compounding
- Prescriptions issued by practitioners who have received a temporary EPCS waiver from the Cabinet for Health and Family Services (CHFS)

A physician or practitioner who is unable to comply with the EPCS mandate may petition the cabinet for a temporary waiver based on:

- Economic hardship
- Technological limitations outside the practitioner's control
- Other exceptional circumstances

Although initial waivers were due no later than November 1, 2020, CHFS is still accepting Temporary Exemption Forms, [EPCS Temporary Exemption Request Form](#).

Please send by mail to Drug Enforcement and Professional Practices Branch at the address shown on the form or by [email to eKASPER](#).

Remember, it is important for you to ensure that your Electronic Health Record (EHR) system is currently EPCS certified and you can do so by contacting your EHR vendor. If you prescribe controlled substances in Kentucky, please take the appropriate steps now to ensure compliance with the Kentucky EPCS mandate. Failure to do so may result in penalties, including a licensure board referral and fines.

EPCS Helpful Links

- EPCS Temporary Exemption Request Form:** <https://chfs.ky.gov/agencies/os/oig/dai/deppb/Documents/EPCSTemporaryExemptionFormEditable.pdf>
- KRS 218A.281:** <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=49590>.
- KAR 902 55:130:** <https://apps.legislature.ky.gov/law/kar/902/055/130.pdf>
- CHFS-OIG Drug Enforcement Website:** <https://chfs.ky.gov/agencies/os/oig/dai/deppb/Pages/default.aspx>.
- DEA EPCS Website:** https://www.deadiversion.usdoj.gov/ecomm/e_rx/.

Kentucky Healthcare Guidance on COVID-19

For the most updated information on the COVID-19 response in Kentucky, physicians are encouraged to review the official Team Kentucky source information, <https://kycovid19.ky.gov/>.

The site contains daily updated information on vaccine distribution along with documents and links reflecting the most current guidance for healthcare providers, laboratories and local public health.

Board Orders can be viewed under the Physician Profile/
Verification of License link on the Board's website:
www.kbml.ky.gov

**Board Action Report (actions taken since
10/01/2020)**

Steve Brook, M.D., Erlanger, KY, License #35158

Order of Indefinite Restriction issued 11/19/2020,
effective 12/24/2020

Sunil Chhibber, M.D., Prospect, KY, License #38329

Order Terminating Agreed Order issued
11/19/2020

**James Crosby, D.O., Whitesburg, KY, License #
IP1665**

Agreed Order entered into 12/29/2020

Curtis Elam, M.D., Knoxville, TN, License #54464

Agreed Order entered into 10/06/2020

**Michael W. Jones, D.O., Lynchburg, VA, License
#02885**

Order Terminating Agreed Order issued
11/19/2020

**Joshua Kadetz, M.D., Barbourville, KY, License
#42223**

Sixth Amended Agreed Order entered into
10/26/2020

**Joshua A. Kadetz, M.D., Barbourville, KY, License
#42223**

Seventh Amended Agreed Order entered into
11/9/2020

**Paul A. Kearney, M.D., Lexington, KY, License #
25755**

Order of Indefinite Restriction issued 12/18/2020,
effective 01/17/2021

Jonathan Kiev, M.D., Lexington, KY, License # 50542

Agreed Order entered into 12/03/2020

**Stephen P. Meese, D.O., Sardinia, OH, License
#02536**

Order Terminating Agreed Order issued
11/19/2020

**Allen K. Missoi, M.D., Eden Prairie, MN, License
#51534**

Agreed Order entered into 11/23/2020

Madhan Mohan, M.D., Knoxville, TN, License #29667

Agreed Order entered into 11/30/2020

**Jesus P. Querubin, M.D., Greenup, KY, License
#33412**

Order Terminating Third Amended Agreed Order
issued 10/16/2020

**Steven Richardson, P.A.-C, Huntington Beach, CA,
License # PA2516**

Agreed Order of Surrender entered into
12/17/2020

Yunus M. Shah, M.D., Goshen, KY, License #37825

Order Terminating Amended Agreed Order
issued 11/19/2020

**Heloise Demoin Westbrook, M.D., Hopkinsville, KY,
License # 47657**

Agreed Order entered into 12/17/2020

**Kelli E. Gambill Whitt, M.D., Danville, KY, License
#36424**

Order Terminating Amended Agreed Order
issued 11/19/2020

Amir Zia, M.D., Bowling Green, KY, License #38494

Second Amended Agreed Order entered into
10/05/2020

Restrictions have also been placed on the following
physicians' licenses pending resolution of charges
brought against them.

**Ashu T. Joshi, M.D., Saint Louis, MO, License
#35777**

Amended Complaint and Amended Emergency
Order of Suspension issued 10/16/2020,
effective 10/16/2020

**Paul E. McLaughlin, M.D., Mt. Sterling, KY, License
#24118**

Complaint and Emergency Order of Suspension
issued 10/30/2020, effective 11/03/2020

**Heloise Demoin Westbrook, M.D., Hopkinsville, KY,
License # 47657**

Complaint and Emergency Order of Suspension
issued 12/01/2020, effective 12/02/2020

Final Reminder on Mandatory KASPER Account Registration and Transition to Kentucky Online Gateway (KOG)

The Board has issued several reminders regarding the requirement of mandatory KASPER account registration for any physician who is authorized to prescribe controlled substances in Kentucky. Please note it does not matter what type of license that you possess, if you never prescribe controlled substances or only do on rare occasions as part of your medical practice, **if you have DEA certificate registered in Kentucky – you must have a KASPER account!**

Information on how to obtain a KASPER account for new users is available at the Cabinet for Health and Family Services' Office of Inspector General website at: <https://ekasper.chfs.ky.gov/Help/NewAccountRequest.htm>

Transition to KOG - Over the past couple years, thousands of physicians have already taken the appropriate steps to ensure their old KASPER accounts have transitioned to the state's Kentucky Online Gateway (KOG). With that said, it is our understanding there are still a number of physicians who initially signed up for a KASPER account years ago, but still have not taken the steps to transition their account to the KOG. Please be advised: KRS 218A.202 requires that ANY person authorized to prescribe or dispense controlled substances must be registered and MAINTAIN use of the KASPER system. In order to MAINTAIN use of the KASPER system, you must transition your old KASPER account to the Kentucky Online Gateway.

It is crucial that you take a moment to make sure you have transitioned your old account to the KOG to ensure you have access to KASPER. Instructions on how to transition your old KASPER account to KOG is available at the following link: <https://chfs.ky.gov/agencies/os/oig/dai/deppb/Documents/MandatoryKASPERKOGAccountInstructions.pdf>

For questions regarding your KASPER account, please contact the KASPER Help Desk at (502) 564-2703. If you have questions about KOG, please contact (502) 564-0104, option 2. In addition, you can review some frequently asked questions about KASPER registration and KOG at by clicking on the following link: <https://kbml.ky.gov/prescribing-substance-abuse/Documents/KBML%20KASPER%20Registration%20FAQs%20V.2%2001-2021.pdf>

Renewal of Medical License For 2021

The 2021 annual renewal notice was mailed to physicians in December 2020. Please note that state regulation requires all physicians currently practicing in the state to renew their license by March 1, 2021 and pay the \$150.00 registration fee in order to keep their license active. Renewals paid after March 1, 2021 but prior to the April 1, 2021 deadline, may be made by paying an additional \$50.00 penalty fee. Failure to renew your license by the April 1, 2021 deadline will cause your license to automatically become inactive and subsequent practice in Kentucky will be considered the unauthorized practice of medicine. To renew your Kentucky license, please go to the Board's website, www.kbml.ky.gov, choose the physician renewal tab, click on the renewal link and log in using your Kentucky license number as your username and the last four digits of your social security number as your password. There is also a paper application on the website should you choose to renew your license by paper. There is an additional \$10.00 charge if you renew by paper application. If you have any questions regarding your renewal or require assistance, please contact the Board at (502) 429-7150. The office is open 8:00 am to 4:30 pm EST, Monday through Friday.

Workers' Compensation Medical Treatment Guidelines Effective Date

The Commissioner of the Kentucky Department of Workers' Claims (DWC) has promulgated an administrative regulation (803 KAR 25:260) adopting the ODG by MCG Health medical treatment guidelines for use in the treatment of work-related injuries and occupational diseases. House Bill 2 (2018) mandated implementation of treatment guidelines.

Please be advised the treatment guidelines went into effect on January 1, 2021. The treatment guidelines are available by subscription at www.odgbymcg.com. In addition, the treatment guideline regulation may be accessed online at <https://apps.legislature.ky.gov/law/kar/803/025/260.pdf>.

A training webinar is available on the DWC's website in the "What's New/Recent Topics" section. Support and training is also available through the ODG Helpdesk at 800-488-5548 or online at odghelp@mcg.com.

Questions about the treatment guidelines regulation may be directed to Scott Wilhoit at 502-782-4532 or Scott.wilhoit@ky.gov.

Board Welcomes New Consumer Member

The Board is pleased to announce the appointment of a new consumer member. In November, Governor Andy Beshear appointed James Michael Foster, Esq., to serve in the role as a consumer member on the Board, replacing the position held by Mr. Richard Whitehouse, Esq, whose term had expired. The Board would like to welcome and congratulate Mr. Foster on his appointment and offer its deep appreciation to Mr. Whitehouse for his years of distinguished service to the citizens of the Commonwealth.

Reports of Scams – Remain Alert

Previously, the Board announced a number of physicians throughout Kentucky received phone calls and correspondence claiming to be the Board threatening action against the physician's license unless a payment is received. It is our understanding these fraudulent activities have continued in recent weeks and physician assistants are also being targeted. With that in mind, the Board would like remind you that our office does not operate in this manner and any correspondence from the Board would appear on formal Board letterhead or from an email address ending with ky.gov. For instance, our general email is kbml@ky.gov. While the appropriate authorities have been made aware of these fraudulent attempts, the Board encourages all of its licensees to be on alert and are encouraged to contact our office at (502) 429-7150 in the event you want to verify official board communications.

Interstate Medical License Compact

As previously reported, the Kentucky Board of Medical Licensure is now an active participant in the Interstate Medical Licensure Compact (IMLC). For those not familiar with this concept, the IMLC is a legal agreement among participating states that allows physicians to obtain expedited licensure in multiple states.

This expedited licensure process requires that a physician hold a full, unrestricted license in a member state and meet all 9 qualifying requirements, including such as specialty board certification and an FBI fingerprint-based background check. A state where the physician holds the full, unrestricted license verifies that the information on the IMLCC application is correct and has been primary source verified. Once the application is approved, the verified information is sent to the states from whom the physician wishes to receive licenses. Only states who have formally joined the IMLC can participate in this process.

The IMLCC process requires that all member boards issue a full, unrestricted license to the physician, which subjects the practice of medicine using that license to that state's medical practice act – just like all full, unrestricted licenses issued by that state.

For more information on the IMLC or if you are interested in applying for licensure in other states, please visit <https://www.imlcc.org/>.

**Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, KY 40222**

Change of Address Notice

All information provided below is used to update the licensee's profile on the Board's website www.kbml.ky.gov.

You may also change your address online by clicking [here](#).

Date: _____ License Number: _____

Name: _____

Mailing Address: _____

Practice Address: _____

Practice County: _____

Office Phone Number: _____

Email Address: _____

*The Board does not publish your email address.