



Kentucky Board of Medical Licensure Newsletter

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Spring 2021

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KBML/KMA Joint CME Event a Success

The Board would like to report that our partnership with the Kentucky Medical Association to offer a series of six virtual “live” educational sessions, which focused on clinical considerations of proper prescribing and substance abuse, was a resounding success. The series of virtual educational sessions were completed in August of 2020. Following that deadline, physicians were able to complete the sessions via internet enduring material posted on the KMA website. Initially, the sessions were scheduled to close on December 31, 2020; however, due COVID-19, access to the courses were extended to March 30, 2021.

In total, we are pleased to report that over 2500 licensed physicians completed the sessions, which were offered at no costs to any physician licensed in the Commonwealth. We believe this unique educational opportunity has created positive changes as it relates to the prescribing controlled substances and treating addiction throughout Kentucky. The Board would like to thank the KMA for their expertise and partnership and the Federation of State Medical Board’s Foundation for their support of this endeavor.

Former Board Member Receives Recognition from Federation of State Medical Boards

During the proceedings of the Federation of State Medical Boards 2021 Annual meeting, Randel C. Gibson, D.O. (Mayfield) was presented with the John H. Clark, M.D. Leadership Award. This prestigious award recognizes outstanding and exemplary leadership, commitment and contribution to advancing the public good at the state medical board level.

As many Kentucky physicians know, Dr. Gibson served on the Board for a span of 25 years, making countless contributions to the Commonwealth during his distinguished career. Among his many achievements, he served in a leadership role for 12 years as chair of the Board’s Inquiry/Hearing Panel B and Board president. The Board would like to congratulate Dr. Gibson on this recognition and thank him for his many of years of service to physicians and patients of Kentucky.

Retired from Practice and Maintaining DEA

One of the most frequent inquiries the Board receives involves matters relating to physicians who have retired from practicing medicine; however, they wish to maintain their DEA registration for emergency purposes.

In this situation, the Board would like remind all of its licensees that just because you are not actively writing prescriptions for controlled substances, any physician with an active Kentucky DEA registration **must** register and maintain a KASPER account regardless of whether you plan to use such authority. The Board would also remind physicians, unless it is an emergency situation, it is unethical for Kentucky physicians to prescribe controlled substances for members of their immediate family. Finally, it is important to note that any physician, who prescribes controlled substances in Kentucky, must adhere to the acceptable and prevailing medical standards set out in the Board administrative regulations.

If you do not desire, or are unable to conform to all KBML controlled substance prescribing and dispensing regulations you may want to retire your KY DEA number by calling DEA Registration Support at 571-362-6905 for assistance.

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 01/01/2021)

Jason Castle, M.D., Paintsville, KY, License # 42069
Agreed Order entered into 02/18/2021

Kevin R. Crabtree, P.A.-C, Lexington, KY, License # PA1103
Order of Indefinite Restriction issued 02/19/2021,
effective 03/24/2021

Yusuf K. Deshmukh, M.D., Elizabethtown, KY, License # 21252
Order Terminating Agreed Order issued 01/22/2021

Jordan Michael Edelen, P.A.-C, Lexington, KY, License # PA2072
Agreed Order entered into 02/18/2021

Leonel Guido-Cuadra, M.D., Owensboro, KY, License # 43942
Agreed Order entered into 01/26/2021

Sarah E. Hill Hartlage, M.D., Louisville, KY, License # 49527
Second Amended Agreed Order entered
into 03/15/2021

Ashu T. Joshi, M.D., St. Louis, MO, License # 35777
Final Order issued 03/18/2021, effective 04/18/2021

Jonathan Kiev, M.D., Lexington, KY, License # 50542
Order Terminating Agreed Order issued 01/22/2021

Mary Jean Lang, M.D., London, KY, License # 44482
Amended Agreed Order entered into 02/18/2021

Thad R. Manning, D.O., LaGrange, KY, License # 02807
Order Terminating Second Amended Agreed
Order issued 02/19/2021

Mohammed A.H. Mazumder, M.D., License # 43704
Amended Agreed Order entered into 03/10/2021

Allen K. Missoi, M.D., Eden Prairie, MN, License # 51534
Amended Agreed Order entered into 02/25/2021

Edward I. Nelson, M.D., Springboro, OH, License # 34587
Order Terminating Agreed Order issued 02/19/2021

Dennis M. O'Keefe, M.D., Bowling Green, KY, License # 20939
Order Terminating Agreed Order issued 01/22/2021

Rawhi A. Omar, M.D., Crestwood, KY, License # 34550
Agreed Order entered into 02/02/2021

Leonor S. Pagtakhan-So, M.D., Pikeville, KY, License # 17816
Agreed Order entered into 02/11/2021

Robin G. Peavler, M.D., Lexington, KY, License # 38971
Order Terminating Agreed Order issued 01/22/2021

Robin G. Peavler, M.D., Lexington, KY, License # 38971
Agreed Order of Retirement entered into 03/18/2021

William C. Powell, M.D., Albany, KY, License # 17386
Amended Agreed Order entered into 02/12/2021

Rafiq U. Rahman, M.D., Elizabethtown, KY, License # 27724
Order Terminating Agreed Order issued 01/22/2021

David P. Rouben, M.D., Louisville, KY, License # 19550
Agreed Order entered into 01/04/2021

Roger W. Strunk, M.D., Frankfort, KY, License # 23513
Amended Agreed Order entered into 03/10/2021

Jennifer E. Vice, P.A.-C, Richmond, KY License # PA872
Amended Agreed Order entered into 01/08/2021

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

Marcus F. Cox, M.D. Dover, OH, License # 51821
Emergency Order of Restriction issued 03/26/2021,
effective 03/31/2021

**William Lawrence Gregory Siefert, M.D., Dayton, OH,
License # 46903**
Emergency Order of Restriction issued 03/02/2021,
effective 03/04/2021

DEA Warning: Scammers Impersonating Agents Are Stealing Identities, Money

The Drug Enforcement Administration is warning the public of a widespread fraud scheme in which telephone scammers impersonate DEA agents in an attempt to extort money or steal personal identifiable information. A new [public service announcement](#) aims to raise awareness that DEA will never phone demanding money or asking for personal information. Previously, the Board advised that a number of physicians throughout Kentucky were receiving received phone calls and correspondence claiming to be the Board's representatives threatening action against the physician's license unless a payment is received.

There are variations in the false narrative, among them, that the target's name was used to rent a vehicle which was stopped at the border and contained a large quantity of drugs. The caller then has the target verify their social security number or tells the target their bank account has been compromised. In some cases, the caller threatens the target with arrest for the fictional drug seizure and instructs the person, over the phone, to send money via gift card or wire transfer to pay a "fine" or to assist with the investigation or with resetting the bank account. A portion of an actual scam call was captured by DEA and can be heard [here](#).

Employing more sophisticated tactics, Schemers have spoofed legitimate DEA phone numbers to convince their target that the call is legitimate, or texted photos of what appears to be a legitimate law enforcement credential with a photo. The reported scam tactics continually change but often share many of the same characteristics. Callers use fake names and badge numbers as well as names of well-known DEA officials or police officers in local departments. Additionally, they may:

- use an urgent and aggressive tone, refusing to speak to or leave a message with anyone other than their targeted victim;
- threaten arrest, prosecution, imprisonment, and, in the case of medical practitioners and pharmacists, revocation of their DEA registration;
- demand thousands of dollars via wire transfer or in the form of untraceable gift card numbers the victim is told to provide over the phone;
- ask for personal information, such as social security number or date of birth;
- reference National Provider Identifier numbers and/or state license numbers when calling a medical practitioner. They also may claim that patients are making accusations against that practitioner.

DEA personnel will never contact members of the public or medical practitioners by telephone to demand money or any other form of payment, will never request personal or sensitive information over the phone, and will only notify people of a legitimate investigation or legal action in person or by official letter. In fact, no legitimate federal law enforcement officer will demand cash or gift cards from a member of the public. You should only give money, gift cards, personally identifiable information, including bank account information, to someone you know.

It is our understanding these fraudulent activities have continued here in Kentucky in recent weeks with physicians and physician assistants 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.

Remember, the best deterrence against these bad actors is awareness and caution. Anyone receiving a call from a person claiming to be with DEA should report the incident to the FBI at www.ic3.gov. The Federal Trade Commission provides recovery steps, shares information with more than 3,000 law enforcement agencies and takes reports at reportfraud.ftc.gov. For any victims who have given personally identifiable information like a social security number to the caller, can learn how to protect against identity theft at www.identitytheft.gov.

Reporting these scam calls will help federal authorities find, arrest, and stop the criminals engaged in this fraud. Impersonating a federal agent is a violation of federal law, punishable by up to three years in prison; aggravated identity theft carries a mandatory minimum sentence of two years in prison plus fines and restitution.

2021 Renewal of Physician Licenses

The Board is pleased to report that our agency recently completed the annual renewal cycle for medical and osteopathic physicians practicing in the Commonwealth. As in past years, the process went smoothly with 18,477 physicians renewing their medical/osteopathic licenses for 2021. Of that number, 10,881 of those physicians have an active Kentucky practice address.

Final Notice on Transition to KOG

In April 2019, the Cabinet for Health and Family Services moved access to the KASPER program to a new secure online portal for protected applications, Kentucky Online Gateway (KOG). In accordance with KRS 218A.202, practitioners authorized to prescribe or dispense controlled substances to humans shall register with the cabinet to use the system and shall *maintain* such registration continuously. Any practitioner whose KASPER account is not linked to KOG -- a process termed "onboarding" -- no longer has access to use the KASPER system and is out of compliance. The Office of Inspector General (OIG) and the KBML have provided multiple notices and technical assistance for account compliance since that time.

Final notices went out in April to all practitioners identified as not transitioning their old KASPER account to KOG giving them 14 days to complete the process before their existing account would be inactivated. OIG will continue to provide assistance with onboarding until that time. Please be aware KRS 218A.202 requires the Cabinet to notify your licensing board if you have controlled substance prescribing authority in KY and fail to maintain a KASPER account.

If you have questions about how to access KASPER via the new secure portal, please refer to OIG's [KASPER-KOG Registration Instructions](#). You may contact the KASPER Help Desk at ekasperhelp@ky.gov or 502-564-2703 with any additional questions.

Update on the Kentucky ePrescribing Mandate

As previously reported, The Centers for Medicare & Medicaid Services (CMS) recently announced that enforcement of the federal EPCS mandate is delayed until Jan. 1, 2022. However, the Kentucky EPCS mandate remains in effect and requires practitioners to issue all controlled substance prescriptions electronically beginning January 1, 2021.

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

Due to the recent CMS announcement, OIG recognizes extenuating circumstances related to implementing EPCS in Kentucky and have been accepting EPCS waiver applications past the original due date of Nov. 1, 2020. If you have an Electronic Health Record (EHR) system that is not currently EPCS certified, you should contact your EHR vendor as soon as possible to determine how to implement EPCS. Providers without electronic health records or electronic prescribing capability can find stand-alone software, available at minimal to no cost, for EPCS using a computer, tablet or smartphone. If you prescribe controlled substances in Kentucky, please take the appropriate steps now to ensure compliance with the Kentucky EPCS mandate.

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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.