

FILED OF RECORD

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K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2046

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 239
RIDGE POINT LANE, CORBIN, KENTUCKY 40701

ORDER OF INDEFINITE RESTRICTION

On April 20, 2023, the Kentucky Board of Medical Licensure (hereinafter "the Board"), acting by and through its Hearing Panel A, took up this case for final action. The members of Panel A reviewed the Complaint, filed March 21, 2022; the hearing officer's Findings of Fact, Conclusions of Law and Recommended Order, filed March 30, 2023; the Board's Exceptions, filed April 5, 2023; Dr. Kadetz's Exceptions, filed April 6, 2023; and an April 6, 2023, memorandum from the Board's counsel.

Having considered all the information available and being sufficiently advised, Hearing Panel A ACCEPTS the hearing officer's Findings of Fact and Conclusions of Law and ADOPTS those Findings of Fact and Conclusions of Law and INCORPORATES them BY REFERENCE into this Order. (Attachment) However, Hearing Panel A MODIFIES the hearing officer's Finding of Fact in Paragraph 13 to reflect the year as 2020, rather than 2023, and the Finding of Fact in Paragraph 20 to reference Complaint ¶ 11, rather than Complaint ¶ 1. Hearing Panel A FURTHER ACCEPTS AND ADOPTS the hearing officer's recommended order and in accordance with that recommended order, Hearing Panel A ORDERS:

1. The license to practice medicine held by Joshua Kadetz, M.D., SHALL BE RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME to begin immediately upon the date of filing of this Order of Indefinite Restriction and continuing until further order of the Board;

2. During the effective period of this Order of Indefinite Restriction, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS until further order of the Board:

- a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities - unless and until approved to do so by the Panel; and
- b. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.

3. The Panel SHALL NOT consider a petition to resume the active practice of medicine unless and until:


- a. The licensee has entered into, maintained and complied with a contractual relationship with the Kentucky Physicians Health Foundation (which shall incorporate, at a minimum, all October 2022 discharge recommendations from FRC regarding testing, monitoring, therapy and support meetings) for a continuous, uninterrupted and documented period of sobriety of at least one (1) year;
- b. The licensee has completed a comprehensive re-evaluation (to include physical examination, polygraphy, neurocognitive and neuropsychological testing, and specialized toxicology), at Florida Recovery Center ("FRC"), 4001 SW 13th Street, Gainesville, Florida 32608, Tel. (352)-265-5549;
- c. The licensee has completed a re-entry clinical skills assessment (and obtained a remedial education plan, if recommended), in a specialty consistent with his plans to resume practice, from *either*:
 - i. Center for Personalized Education for Professionals ("CPEP"), 720 South Colorado Boulevard, Suite 1100-N, Denver, Colorado 80246, Tel. (303) 577-3232 Fax: (303) 577-3241; or
 - ii. LifeGuard, 400 Winding Creek Boulevard, Mechanicsburg, Pennsylvania, 17050, Tel. (717) 909-2590; and
- d. The licensee has reimbursed the Board the costs of the proceedings in the amount of \$312.50, pursuant to KRS 311.565(1)(v).

SO ORDERED on this 26th day of April, 2023.


WAQAR A. SALEEM, M.D.
CHAIR, HEARING PANEL A

CERTIFICATE OF SERVICE

I certify that the original of the Order of Indefinite Restriction was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222; a copy was mailed to Keith Hardison, Esq., Hearing Officer, 2616 Bardstown Road, Louisville, Kentucky 40205 and mailed via certified mail return-receipt requested to the licensee, Joshua Kadetz, M.D., License No. 42223, 239 Ridge Point Lane, Corbin, Kentucky 40701 and via email joshuakadetz@yahoo.com, on this 26th day of April, 2023.


Nicole A. King
Assistant General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
502/429-7150

EFFECTIVE DATE AND APPEAL RIGHTS

Pursuant to KRS 311.593(1) and 13B.120, the effective date of this Order will be thirty (30) days after this Order of Indefinite Restriction is received by the licensee.

The licensee may appeal from this Order, pursuant to KRS 311.593 and 13B.140-.150, by filing a Petition for Judicial Review in Jefferson Circuit Court within thirty (30) days after this Order is mailed or delivered by personal service. Copies of the petition shall be served by the licensee upon the Board and its General Counsel or Assistant General Counsel. The Petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested, along with a copy of this Order.

FILED OF RECORD

MAR 30 2023

K.B.M.L.

**COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2046**

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D. LICENSE NO. 42223, 80
HOSPITAL DRIVE, BARBOURVILLE, KENTUCKY 40906

**FINDINGS OF FACT, CONCLUSIONS OF
LAW AND RECOMMENDED ORDER**

This action is before the hearing officer on the *Motion for Summary Disposition* (hereinafter the *Motion*) filed by the Kentucky Board of Medical Licensure (hereinafter “the Board”) on March 6, 2023. No response has been filed by Dr. Kadetz, the licensee. After reviewing the *Motion*, the other pleadings of record and the applicable law, the hearing officer finds there are no genuine issues of material fact in dispute and that judgment as a matter of law is appropriate pursuant to KRS 13B.090(2). Therefore the hearing officer recommends the Board grant the *Motion for Summary Disposition*, find Dr. Kadetz in violation of KRS 311.595 (6), KRS 311.595 (13) and KRS 311.595 (16) and impose any appropriate sanction for those violations.

In support of this recommendation the hearing officer submits the following Findings of Fact, Conclusions of Law and Recommended Order:

FINDINGS OF FACT

1. On March 21, 2022, Inquiry Panel B of the Board issued a Complaint against the license of Dr. Joshua Kadetz alleging that he had violated KRS 311.595 (6), KRS 311.595 (13) and KRS 311.595 (16). *Complaint generally*

2. Dr. Kadetz did not file an answer within the time required, however upon notice that he was in a residential treatment program and unable to participate in any proceedings the hearing officer, at the request of the Board, held the matter in abeyance until such time as he

could be discharged and participate. *Order Holding Matter in Abeyance and Cancelling Hearing*, 7/11/22

3. Subsequently, at the request of the Board, the hearing officer scheduled a telephonic prehearing conference which was conducted on January 24, 2023. Dr. Kadetz appeared and was advised, orally and subsequently in writing, to file a response to the *Complaint* no later than February 24, 2023. Another prehearing conference was scheduled for March 1, 2023. *Report Following Prehearing Conference and Order Setting Next Prehearing Conference*. January 25, 2023

4. Dr. Kadetz did not respond to phone calls from the hearing officer to participate in the conference on March 1st and did not file his response to the Complaint by the date set. *Order Following Status Conference*, March 3, 2023

5. Shortly thereafter, Dr. Kadetz sent an e-mail to the Board, which was filed of record on March 2, 2023, and is taken to constitute his response to the Complaint as provided for in KRS 311.591(4). In that e-mail Dr. Kadetz states “I agree to everything in the case. All of the interrogatories are factual and true.” Accordingly this admission is the authority for all Findings of Fact below and will be cited as *Response generally*

6. At all relevant times Dr. Kadetz was licensed by the Board to practice medicine in the Commonwealth of Kentucky. *Complaint ¶ 1; Response generally*

7. Dr. Kadetz’s medical specialty is Family Medicine. *Complaint ¶2; Response generally*

8. Dr. Kadetz was the subject of an Agreed Order with the Board in Case Number 1590 entered into in November of 2020 in which his medical license was restricted and certain conditions imposed on his practice of medicine. *Complaint ¶¶3- 4; Response generally*

9. Dr. Kadetz was not to engage in the practice of medicine unless and until the practice

location was approved in writing by the Board panel or it's Chair. Dr. Kadetz was approved to practice at Harrison Memorial Hospital in Cynthiana Kentucky. The Board must approve any change in practice location. *Complaint ¶4; Response generally*

10. Dr. Kadetz was to maintain a specific form of a "controlled substance log" and permit the Board's agents and consultants to access and inspect that log with the licensee bearing the cost of any consultant reviews. At least two (2) favorable consultant reviews would be required before the Board considered termination of the Agreed Order. *Complaint ¶4; Response generally*

11. Dr. Kadetz was to maintain his contractual relationship with the Kentucky Physicians Health Foundation (KPHF) and fully comply with all requirement of that contractual relationship. He was to completely abstain from the consumption off mood altering substances, including alcohol, unless prescribed by a duly licensed practitioner with notice to the treating physician and to the Board. He was to be subject to periodic unannounced testing to ensure compliance with this abstinence requirement. *Complaint ¶4; Response generally*

12. Dr. Kadetz was, as a condition of the Agreed Order, not to violate any provisions of KRS 311.595 or KRS 311.597. *Complaint ¶4; Response generally*

13. On November 24, 2023, the Board received notice that Dr. Kadetz was out of compliance with his contractual relationship with KPHF. Specifically he failed two (2) daily "check ins", failed to appear for his last therapy session without rescheduling, had an outstanding balance with his therapist, was late on providing his AA meeting lists for five (5) months and had failed to complete his required number of AA meeting in one month. *Complaint ¶5; Response generally*

14. Dr. Kadetz tested positive for two (2) unapproved mood altering substances in February of 2021. As a result KPHF was no longer willing to advocate for Dr. Kadetz in clinical practice. *Complaint ¶6; Response generally*

15. On March 18, 2021, Dr. Kadetz appeared before the Board Inquiry Panel to review his situation. He was ordered to submit to a 96 hour inpatient evaluation at Florida Recovery Center before April 30, 2021. *Complaint ¶7; Response generally*

16. Dr. Kadetz completed this evaluation in April of 2021. He was diagnosed with “unspecified other (anabolic androgenic steroid) substance related disorder” The Florida Recovery Center opined that he could not practice medicine with reasonable skill and safety until he completed the recommended inpatient treatment. *Complaint ¶8; Response generally*

17. Dr. Kadetz entered into an Interim Agreed Order with the Board on May 14, 2021 in which he agreed not to practice medicine. *Complaint ¶9; Response generally*

18. On May 10, 2021 Dr. Kadetz was hired by Physicians Health Group of Kentucky, PLLC to practice medicine. Dr. Kadetz did not disclose to that entity that he was precluded from practicing medicine by the Interim Order of May 14, 2021. Upon learning of the Agreed Order, Physicians Health Group of Kentucky, PLLC, terminated Dr. Kadetz’s employment on June 21, 2021. *Complaint ¶10; Response generally*

19. In February of 2022 Dr. Rush of Physicians Health Group of Kentucky, PLLC, learned that Dr. Kadetz had “surreptitiously” recorded a video of a patient encounter and posted the video on TikT’ok. Dr. Kadetz admitted to the videotaping and posting and ultimately removed the video. *Complaint ¶10; Response generally*

20. On or about March 8, 2022, Dr. Kadetz was arrested and charged with DUI by the Corbin Police Department. *Complaint ¶1; Response generally*

21. Following his appearance before the Board Inquiry Panel on March 17, 2022, the Board, through its Inquiry Panel issued the *Complaint* now under consideration by the hearing officer. *Complaint generally*

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this action pursuant to KRS 311.591 and KRS 311.595.
2. The administrative proceeding was conducted in accordance with the provisions of KRS Chapter 13B and KRS 311.591.
3. Under KRS 13B.090 (7) the Board has the burden to prove, by a preponderance of the evidence, the allegations against Dr. Kadetz.
4. Pursuant to KRS 13B. 090 (2), “the hearing officer may make a recommended order in an administrative hearing submitted in written form if the hearing officer determines there are no genuine issues of material fact in dispute”.
5. Summary proceeding, such as those contemplated by KRS 13B. 090 (2), are generally appropriate when, construing all evidence in favor of the party against whom the motion is made, there are no disputed issues of fact upon which reasonable minds could differ. *Bierman v. Klapheke*, 967 S.W. 2d. 16, 18 – 19 (Ky.1998) and *Steelvest, Inc. v. Scansteel Services Center, Inc.*, 807 S.W. 2d 476 (1991)
6. In this action the hearing officer concludes, based upon the pleadings and the record, that there are no genuine issues of material fact upon which reasonable minds could differ and that judgment is appropriate as a matter of law under the provisions of KRS 13B.090 (2).
7. KRS 311.595 authorizes the Board to take disciplinary action against a medical license, including placing a licensee on probation or revoking, suspending or restricting a license based upon proof of certain conduct by the licensee. Disciplinary action may be taken if a licensee has “become addicted to a controlled substance”. KRS 311.595 (6)
8. Based upon his admission that he was addicted to a controlled substance the hearing officer concludes that the preponderance of the evidence supports the conclusion that Dr. Kadetz

has violated KRS 311.595 (6). (See ¶16 above)

9. KRS 311.595 (13) authorizes the Board to take disciplinary action against a medical license, including placing a licensee on probation or revoking, suspending or restricting a license upon proof that the licensee has “violated any agreed order, letter of agreement, final order, or emergency order issued by the Board”.

10. Based upon his admission that he was out of compliance with several specific terms of the Agreed Order in Case Number 1590, which he entered into in November of 2020, and the Interim Agreed Order, entered into on May 14, 2022, the hearing officer concludes that the preponderance of the evidence supports the conclusion that Dr. Kadetz has violated KRS 311.595 (13). (See ¶¶13 - 18 above)

11. KRS 311.595 (16) authorizes the Board to take disciplinary action against a medical license, including placing a licensee on probation or revoking, suspending or restricting a license upon proof that the licensee has “willfully violated a confidential communication”.

12. Based upon his admission that he “surreptitiously” recorded a video of a patient encounter and posted it on social media, the hearing officer concludes that the preponderance of the evidence supports the conclusion that Dr. Kadetz has violated KRS 311.595 (16). (See ¶19 above)

RECOMMENDED ORDER

Based upon the foregoing findings of fact and conclusions of law, the hearing officer recommends the Board find Dr. Kadetz guilty of violating KRS 311.595 (6), KRS 311.595 (13), and KRS 311.595 (16) and impose any appropriate sanction for these violations.

NOTICE OF RIGHT TO FILE EXCEPTIONS AND TO APPEAL

Pursuant to KRS 13B.110 (4), a party has the right to file exceptions to this recommended decision.

A copy of the hearing officer's recommended order shall also be sent to each party in the hearing and each party shall have fifteen (15) days from the date the recommended order is mailed within which to file exceptions to the recommendations with the agency head. Transmittal of a recommended order may be sent by regular mail to the last known address of the party. Failure to file exceptions will result in preclusion of judicial review of those issues not specifically excepted to. On appeal the circuit court will consider only the issues a party raised in written exceptions.

A party also has the right to appeal the Final Order of the agency pursuant to KRS 13B.140 (1 - 2) which states:

- (1) Except as provided in KRS 452.005, all final orders of an agency shall be subject to judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the date of the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the petition shall be served by the petitioner upon the agency and all parties of record. The petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested. The petition shall be accompanied by a copy of the final order.
- (2) A party may file a petition for judicial review only after the party has exhausted all administrative remedies available within the agency whose action is being challenged, and within any other agency authorized to exercise administrative review.

Pursuant to KRS 23A.010 (4), "Such review (by Circuit Court) shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served upon filing an appeal in circuit court.

SO ORDERED this 30th day of March 2023

A handwritten signature in cursive script, reading "Keith Hardison".

KEITH HARDISON
HEARING OFFICER
2616 BARDSTOWN RD.
LOUISVILLE KY 40205
(502) 432-2332
hardisonkeith@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that the original of this FINDINGS OF FACT, CONCLUSIONS AND RECCOMENDED ORDER was hand delivered for filing this 30th day of March, 2023, to:

MS. JILL LUN
KY BOARD OF MEDICAL LICENSURE
HURSTBOURNE OFFICE PARK STE 1B
310 WHITTINGTON PKWY
LOUISVILLE KY 40222

and a true copy was hand delivered this 30th day of March, 2023, to:

HON. NICOLE A. KING
ASSISTANT GENERAL COUNSEL
KY BOARD OF MEDICAL LICENSURE
HURSTBOURNE OFFICE PARK STE 1B
310 WHITTINGTON PKWY
LOUISVILLE KY 40222

and a true copy was sent by first-class mail, postage prepaid, and emailed, this 30th day of March, 2023, to:

DR. JOSHUA KADETZ M.D.
239 RIDGE POINT LANE
CORBIN, KENTUCKY 40701

joshuakadetz@yahoo.com


KEITH HARDISON
HEARING OFFICER

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COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2046

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 80
HOSPITAL DRIVE, BARBOURVILLE, KENTUCKY 40906

EMERGENCY ORDER OF SUSPENSION

At its March 17, 2022 meeting, the Kentucky Board of Medical Licensure (hereafter “the Board”), acting through its Inquiry Panel B, considered a memorandum prepared by Stephen Manley, Board Investigator, dated March 10, 2022; Grievance and attachments, received February 21, 2022; Interim Agreed Order (Treatment), filed of record May 14, 2021; a memorandum prepared by Stephen Manley, Board Investigator, dated March 3, 2021; Seventh Amended Agreed Order, filed of record November 9, 2020; correspondence from Greg L. Jones, Medical Director, Kentucky Physicians Health Foundation, dated November 24, 2020 and February 25, 2021; correspondence from the licensee, dated March 5, 2021; Order to Submit to Evaluation, filed of record March 19, 2021; UF Comprehensive Multi-Day Evaluation, dated April 26-28, 2021; correspondence from Tina Simpson, M.D., Medical Director, Kentucky Physicians Health Foundation, dated May 5, 2021; Uniform Citation, Corbin Police Department, dated March 8, 2022.

Having considered all of this information and being sufficiently advised, Inquiry Panel B ENTERS the following EMERGENCY ORDER OF SUSPENSION, in accordance with KRS 311.592(1) and 13B.125(1):

FINDINGS OF FACT

Pursuant to KRS 13B.125(2) and based upon the information available to it, Inquiry Panel B concludes there is probable cause to make the following Findings of Fact, which support its Emergency Order of Suspension:

1. At all relevant times, Joshua A. Kadetz, M.D., (“the licensee”) was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee’s medical specialty is Family Medicine.
3. The licensee’s history with the Board, as detailed in a Seventh Amended Agreed Order in KBML case No. 1590, filed of record on November 5, 2020, are adopted and incorporated herein.
4. The terms and conditions included in the Seventh Amended Agreed Order stated:
 - During the effective period of this Order, the licensee’s Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - The licensee SHALL NOT perform any act which would constitute the “practice of medicine or osteopathy,” as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.
 - The licensee is approved to practice medicine at Harrison Memorial Hospital, 1210-KY 36, Cynthiana, Kentucky, 41031;
 - The licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.

- The licensee's employment must be approved by the Panel or its Chair in advance of commencing employment and such approval must be in writing, before the licensee begins practice at that location. The Panel or its Chair must approve any change in practice location for the licensee in writing and prior to the licensee practicing medicine at that location(s);
- Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect "call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;
 - The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;
 - The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Order;
 - The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Order;
- The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
- The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform

the treating physician of this responsibility shall be considered a violation of this Order;

- The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Order; and
 - The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.
5. On or about November 24, 2020, the Kentucky Physicians Health Foundation ("KPHF") notified the Board that the licensee was out of compliance with several aspects of his contract with KPHF, to include two (2) failed daily check-ins, a no-show to his last therapy appointment without rescheduling, an outstanding balance with his therapist after multiple reminders, he was late on providing his AA meeting lists for 5 months, and failure to complete the required number of AA meetings in one month. The licensee was notified by KPHF that they could not advocate for him due to his non-compliance, and that six months of total compliance would be required before they could advocate for him.
 6. On or about February 25, 2021, KPHF notified the Board that the licensee tested positive for two (2) unapproved mood-altering substances from a specimen collected on February 2, 2021. As a result, the KPHF advised the licensee that KPHF no longer had their advocacy to engage in clinical practice.
 7. The Panel reviewed the investigation at its March 18, 2021 meeting. The licensee appeared before and was heard by the Panel before it deliberated. The Panel ordered the licensee to submit to an 96-hour inpatient evaluation at Florida Recovery Center before April 30, 2021 via an *Order to Submit to Evaluation* filed on March 19, 2021.

8. The licensee completed an evaluation at Florida Recovery Center in April 2021. The licensee was diagnosed with “unspecified other (anabolic androgenic steroid) substance related disorder” and FRC recommended that he enter into residential treatment. FRC opined that he could not practice with reasonable skill and safety until he completes inpatient treatment.
9. The licensee entered into an Interim Agreed Order (Treatment), which was filed of record on May 14, 2021, in which he agreed not to practice medicine.
10. On or about February 21, 2022, the Board received a grievance from John J. Rush, M.D., of Physicians Health Group of Kentucky, PLLC. The letter from Dr. Rush stated that he hired the licensee to practice medicine on May 10, 2021. The grievant stated that the licensee did not disclose that he entered into the Interim Agreed Order on May 14, 2021 which precluded him from practicing medicine. The grievant stated that when he learned of the licensee’s “suspension,” he immediately terminated the licensee on June 21, 2021. The grievant further stated that he learned on February 11, 2022 that the licensee had “surreptitiously video recorded a patient encounter and posted the video on his personal TikTok social media account.” According to the grievant, the licensee confirmed that he had posted the video recording of this patient encounter and subsequently removed it from social media.
11. On or about March 8, 2022, the licensee was arrested and charged with DUI by the Corbin Police Department in Corbin, Kentucky.
12. At its meeting on March 17, 2022, the panel considered the licensee’s non-compliance with his Seventh Amended Agreed Order. The licensee appeared before and addressed the Panel before it deliberated.

CONCLUSIONS OF LAW

Pursuant to KRS 13B.125(2) and based upon the information available to it, Inquiry Panel B finds there is probable cause to support the following Conclusions of Law, which serve as the legal bases for this Emergency Order of Suspension:

1. The licensee's Kentucky medical license is subject to regulation and discipline by this Board.
2. KRS 311.592(1) provides that the Board may issue an emergency order suspending, limiting, or restricting a physician's license at any time an inquiry panel has probable cause to believe that a) the physician has violated the terms of an order placing him on probation; or b) a physician's practice constitutes a danger to the health, welfare and safety of his patients or the general public.
3. There is probable cause to believe that the licensee has violated the provisions of KRS 311.595(6), (13) and (16).
4. The Panel concludes there is probable cause to believe this physician's practice constitutes a danger to the health, welfare and safety of his patients or the general public.
5. The Board may draw logical and reasonable inferences about a physician's practice by considering certain facts about a physician's practice. If there is proof that a physician has violated a provision of the Kentucky Medical Practice Act in one set of circumstances, the Board may infer that the physician will similarly violate the Medical Practice Act when presented with a similar set of circumstances. Similarly, the Board concludes that proof of a set of facts about a physician's practice presents representative proof of the nature of that physician's practice in general. Accordingly, probable cause to believe that the physician has committed certain violations in the recent past presents

probable cause to believe that the physician will commit similar violations in the near future, during the course of the physician's medical practice.

6. The United States Supreme Court has ruled that it is no violation of the federal Due Process Clause for a state agency to temporarily suspend a license, without a prior evidentiary hearing, so long as 1) the immediate action is based upon a probable cause finding that there is a present danger to the public safety; and, 2) the statute provides for a prompt post-deprivation hearing. Barry v. Barchi, 443 U.S. 55, 61 L.Ed.2d 365, 99 S.Ct. 2642 (1979); FDIC v. Mallen, 486 U.S. 230, 100 L.Ed.2d 265, 108 S.Ct. 1780 (1988) and Gilbert v. Homar, 117 S.Ct. 1807 (1997). Cf. KRS 13B.125(1).

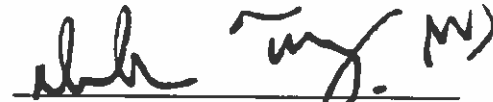
KRS 13B.125(3) provides that the Board shall conduct an emergency hearing on this emergency order within ten (10) working days of a request for such a hearing by the licensee. The licensee has been advised of his right to a prompt post-deprivation hearing under this statute.

EMERGENCY ORDER OF SUSPENSION

Based upon the foregoing Findings of Fact and Conclusions of Law, Inquiry Panel B hereby ORDERS that the license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is SUSPENDED and Dr. KADETZ is prohibited from performing any act which constitutes the "practice of medicine or osteopathy," as that term is defined by KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities - until the resolution of the Complaint setting forth the allegations discussed in this pleading or until such further Order of the Board.


Inquiry Panel B further declares that this is an EMERGENCY ORDER, effective upon receipt by the licensee.

SO ORDERED this 21st day of March, 2022.


DALE E. TONEY, M.D.
CHAIR, INQUIRY PANEL A

CERTIFICATE OF SERVICE

I certify that the original of this Emergency Order of Suspension was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222; and a copy was mailed via certified mail return-receipt requested to the licensee, Joshua A. Kadetz, M.D., License no. 42223, 239 Ridge Point Lane, Corbin, Kentucky 40701 on this 21st day of March, 2022.


Sara Farmer
Assistant General Counsel
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MAR 21 2022

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2046

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 80
HOSPITAL DRIVE, BARBOURVILLE, KENTUCKY 40906

COMPLAINT

Comes now the Complainant Dale E. Toney, M.D., Chair of the Kentucky Board of Medical Licensure's Inquiry Panel B, and on behalf of the Panel which met on March 17, 2022, states for its Complaint against the licensee, JOSHUA KADETZ, M.D, as follows:

1. At all relevant times, Joshua A. Kadetz, M.D., ("the licensee") was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. The licensee's history with the Board, as detailed in a Seventh Amended Agreed Order in KBML case No. 1590, filed of record on November 5, 2020, are adopted and incorporated herein.
4. The terms and conditions included in the Seventh Amended Agreed Order stated:
 - During the effective period of this Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.
 - The licensee is approved to practice medicine at Harrison Memorial Hospital, 1210-KY 36, Cynthia, Kentucky, 41031;


- The licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.
- The licensee's employment must be approved by the Panel or its Chair in advance of commencing employment and such approval must be in writing, before the licensee begins practice at that location. The Panel or its Chair must approve any change in practice location for the licensee in writing and prior to the licensee practicing medicine at that location(s);
- Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect "call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;
 - The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;
 - The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Order;
 - The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Order;
- The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;

- The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Order;
 - The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Order; and
 - The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.
5. On or about November 24, 2020, the Kentucky Physicians Health Foundation ("KPHF") notified the Board that the licensee was out of compliance with several aspects of his contract with KPHF, to include two (2) failed daily check-ins, a no-show to his last therapy appointment without rescheduling, an outstanding balance with his therapist after multiple reminders, he was late on providing his AA meeting lists for 5 months, and failure to complete the required number of AA meetings in one month. The licensee was notified by KPHF that they could not advocate for him due to his non-compliance, and that six months of total compliance would be required before they could advocate for him.
 6. On or about February 25, 2021, KPHF notified the Board that the licensee tested positive for two (2) unapproved mood-altering substances from a specimen collected on February 2, 2021. As a result, the KPHF advised the licensee that KPHF no longer had their advocacy to engage in clinical practice.

7. The Panel reviewed the investigation at its March 18, 2021 meeting. The licensee appeared before and was heard by the Panel before it deliberated. The Panel ordered the licensee to submit to an 96-hour inpatient evaluation at Florida Recovery Center before April 30, 2021 via an *Order to Submit to Evaluation* filed on March 19, 2021.
8. The licensee completed an evaluation at Florida Recovery Center in April 2021. The licensee was diagnosed with “unspecified other (anabolic androgenic steroid) substance related disorder” and FRC recommended that he enter into residential treatment. FRC opined that he could not practice with reasonable skill and safety until he completes inpatient treatment.
9. The licensee entered into an Interim Agreed Order (Treatment), which was filed of record on May 14, 2021, in which he agreed not to practice medicine.
10. On or about February 21, 2022, the Board received a grievance from John J. Rush, M.D., of Physicians Health Group of Kentucky, PLLC. The letter from Dr. Rush stated that he hired the licensee to practice medicine on May 10, 2021. The grievant stated that the licensee did not disclose that he entered into the Interim Agreed Order on May 14, 2021 which precluded him from practicing medicine. The grievant stated that when he learned of the licensee’s “suspension,” he immediately terminated the licensee on June 21, 2021. The grievant further stated that he learned on February 11, 2022 that the licensee had “surreptitiously video recorded a patient encounter and posted the video on his personal TikTok social media account.” According to the grievant, the licensee confirmed that he had posted the video recording of this patient encounter and subsequently removed it from social media.

11. On or about March 8, 2022, the licensee was arrested and charged with DUI by the Corbin Police Department in Corbin, Kentucky.
 12. At its meeting on March 17, 2022, the panel considered the licensee's non-compliance with his Seventh Amended Agreed Order. The licensee appeared before and addressed the Panel before it deliberated.
 13. By his conduct, the licensee has violated KRS 311.595(6), (13) and (16). Accordingly, legal grounds exist for disciplinary action against his Kentucky medical license.
 14. The licensee is directed to respond to the allegations delineated in the Complaint within thirty (30) days of service thereof and is further given notice that:
 - (a) His failure to respond may be taken as an admission of the charges;
 - (b) He may appear alone or with counsel, may cross-examine all prosecution witnesses and offer evidence in his defense.
 15. NOTICE IS HEREBY GIVEN that a hearing on this Complaint is scheduled for July 12, 2022, at 9:00 a.m., Eastern Standard Time, at the Kentucky Board of Medical Licensure, Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222. Said hearing shall be held pursuant to the Rules and Regulations of the Kentucky Board of Medical Licensure and pursuant to KRS Chapter 13B. This hearing shall proceed as scheduled and the hearing date shall only be modified by leave of the Hearing Officer upon a showing of good cause.
- WHEREFORE, Complainant prays that appropriate disciplinary action be taken against the license to practice medicine held by JOSHUA A. KADETZ, M.D.

This 21st day of March, 2022.



DALE E. TONEY, M.D.
CHAIR, INQUIRY PANEL A

CERTIFICATE OF SERVICE

I certify that the original of this Complaint was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222; a copy was mailed to Keith Hardison, Esq., 2616 Bardstown Road, Louisville, Kentucky 40205 and a copy was mailed via certified mail return-receipt requested to the licensee, Joshua A. Kadetz, M.D., License no. 42223, 239 Ridge Point Lane, Corbin, Kentucky 40701 on this 21st day of March, 2022.



Sara Farmer
Assistant General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
Tel. (502) 429-7150

FILED OF RECORD

MAY 14 2021

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. IAO(T)- 92

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA A. KADETZ, M.D., LICENSE NO. 42223, 80
HOSPITAL DRIVE, BARBOURVILLE, KENTUCKY 40906

INTERIM AGREED ORDER (TREATMENT)

Come now the Kentucky Board of Medical Licensure ("the Board"), acting by and through its Inquiry Panel B, and Joshua A. Kadetz, M.D. ("the licensee"), and, based upon their mutual desire to ensure that the public is fully protected while the Board is completing its investigation, hereby ENTER INTO the following INTERIM AGREED ORDER:

1. The licensee shall not engage in any act which would constitute the "practice of medicine," as that term is defined in KRS 311.550(10) – "the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities" – from the date of filing of this Interim Agreed Order until approved to do so by the Inquiry Panel;
2. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597;
3. If there is information satisfactory to the Panel or the Panel Chair that the licensee has failed to comply with any condition of this Interim Agreed Order, the Panel or the Panel Chair may immediately terminate this Interim Agreed Order and issue a Complaint and, if deemed appropriate, an Emergency Order;
4. While this Interim Agreed Order does not constitute final action on this matter, federal regulations require that it be reported to the National Practitioner's Data Bank. Furthermore, it is subject to release upon request pursuant to the Open Records Act; and

5. The licensee understands and agrees that any violation of the terms and conditions of this Interim Agreed Order shall constitute a separate violation and may result in disciplinary action against his Kentucky medical license, including revocation, pursuant to KRS 311.595(13).

SO AGREED on this 14th day of May, 2021.

FOR THE LICENSEE:



JOSHUA A. KADETZ, M.D.

COUNSEL FOR LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



WILLIAM C. THORNBURY, JR., M.D.
CHAIR, INQUIRY PANEL B



SARA FARMER
Assistant General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
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COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1590

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 80
HOSPITAL DRIVE, BARBOURVILLE, KENTUCKY 40906

SEVENTH AMENDED AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through the Chair of its Inquiry Panel B, and Joshua A. Kadetz, M.D., (hereafter "the licensee"), and, based upon the licensee's request for practice location approval, hereby ENTER INTO the following **SEVENTH AMENDED AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Seventh Amended Agreed Order:

1. At all relevant times, Joshua A. Kadetz, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. Charles Lovell, CEO of the Caldwell County Medical Center, reported to the Kentucky Board of Medical Licensure's Executive Director, Michael Rodman, that the licensee was found unresponsive while on duty in the physician sleep room of the hospital. This occurred on or about February 7, 2014.
4. Mr. Lovell stated that he met with the licensee after the incident, who admitted to ingesting SOMA on the day of the incident.

5. On May 30, 2014, the licensee and the Board entered into an Interim Agreed Order for Treatment requiring that the licensee not practice medicine until approved to do so by the Inquiry Panel.
6. Dr. Greg Jones, Medical Director of the Kentucky Physicians Health Foundation ("the Foundation") notified the Board that the licensee was required to attend a 96 hour in-patient evaluation and was subsequently admitted to Pavillon Treatment Center in North Carolina for a minimum of 90 days.
7. On or about March 10, 2014, the licensee entered into Pavillon Treatment Center with the diagnoses of alcohol use disorder, nicotine use disorder, and SOMA use disorder.
8. The licensee reported to Pavillon Treatment Center that he started using SOMA at the age of 31 and at age 41 was using daily and getting it online. He was taking 3500 mg daily. He reported his last use was four tablets of 350 mg of SOMA on March 6, 2014.
9. The licensee failed to complete treatment at the Pavillon Treatment Center in North Carolina. The licensee was administratively discharged from the treatment program on May 16, 2014 with AXIS I diagnoses of Bipolar Disorder NOS; Nicotine Dependence; Sedative, Hypnotic, or Anxiolytic Dependence; and History Alcohol Dependence.
10. In an interview with investigator Stephen Manley, the licensee stated that his discharge was due to failure to meet the financial agreement, but that he had also had two violations prior to his discharge. One violation was use of his cell phone, which was strictly forbidden. The second violation was that he had purchased,

- online from a foreign country, SOMA for his personal use and brought it with him to Pavillion Treatment Center.
11. In a letter to the Board, the licensee stated that his discharge was based upon failure to meet financial responsibilities and the “possibility of dishonesty regarding the financial obligation.”
 12. The discharge summary from Pavillon states that the licensee was discharged due to issues with dishonesty, bringing SOMA on to campus when he arrived, and failure to meet financial obligations.
 13. A letter dated July 7, 2014 from the Foundation advised that due to his administrative discharge from treatment, the licensee did not have the advocacy of the Foundation to resume the practice of medicine in any form in the state of Kentucky.
 14. On August 8, 2014, the licensee entered into an Agreed Order of Indefinite Restriction which prohibited the licensee from engaging in the practice of medicine in the Commonwealth of Kentucky until further order of the Panel.
 15. The licensee successfully completed in-patient treatment at MARR, with an admission date of February 26, 2016 and discharge date of June 17, 2016. He was discharged with Axis I diagnoses of Opioid Use D/O and Alcohol Use D/O and deemed medically clear and stable at time of discharge.
 16. The licensee entered into a contract with the Foundation on June 29, 2016.
 17. On April 9, 2017, the licensee submitted his request to resume the practice of medicine. He stated that he has continued to practice medicine in Tennessee and with the Center for Disease Control and Prevention since entering into the Agreed

Order and provided documentation regarding his completion of continuing medical education courses.

18. In a letter dated February 9, 2017, Will Ward, M.D., Interim Medical Director for the Foundation, stated that the licensee has remained in compliance with the Foundation's directives and that it is his belief that granting the licensee's request to resume the practice of medicine would not pose any undue risk to the public nor place his personal recovery in jeopardy.
19. At its May 18, 2017 meeting, the Panel approved the licensee's request to resume the practice of medicine, pursuant to terms and conditions set forth in an Amended Agreed Order.
20. On June 19, 2017, the Panel Chair approved the licensee's request to practice at four locations owned by Bluegrass Urgent Care, pursuant to the terms of a Second Amended Agreed Order.
21. On December 22, 2017, the Panel Chair approved the licensee's request to practice at an additional location, Manchester Memorial Hospital, pursuant to the terms of a Third Amended Agreed Order.
22. On August 8, 2018, the Panel Chair approved the licensee's request to practice at an additional location, Barbourville ARH, pursuant to the terms of a Fourth Amended Agreed Order.
23. On April 21, 2020, the Panel Chair approved the licensee's request to practice medicine at Harrison Memorial Hospital, pursuant to the terms of a Fifth Amended Agreed Order.

24. On or about October 8, 2020, the Panel Chair approved the licensee's request to practice medicine at Rockcastle Regional Hospital, pursuant to the terms of a Sixth Amended Agreed Order. The Sixth Amended Agreed Order was filed of record on October 26, 2020. Subsequently, Rockcastle Regional Hospital declined to credential the licensee, which foreclosed the licensee's employment opportunity.

25. On or about November 5, 2020, the Panel Chair approved the licensee's request to return to practice at Harrison Memorial Hospital, as permitted under the Fifth Amended Agreed Order.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Seventh Amended Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(6) and (8). Accordingly, there are legal grounds for the parties to enter into this Seventh Amended Agreed Order.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Seventh Amended Agreed Order.

SEVENTH AMENDED AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon the licensee's request for practice location approval, the parties hereby ENTER INTO the following **SEVENTH AMENDED AGREED ORDER ("Order")**:

1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;
2. During the effective period of this Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.
 - i. The licensee is approved to practice medicine at Harrison Memorial Hospital, 1210-KY 36, Cynthiana, Kentucky, 41031;
 - ii. The licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.
 - iii. The licensee's employment must be approved by the Panel or its Chair in advance of commencing employment and such approval must be in writing, before the licensee begins practice at that location. The Panel or its Chair must approve any change in practice location for the licensee in writing and prior to the licensee practicing medicine at that location(s);

- b. Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect "call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;
- i. The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;
 - ii. The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Order;
 - iii. The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Order;
- c. The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
- d. The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Order;
- e. The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to

ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Order; and

- f. The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.
3. The licensee expressly agrees that if he should violate any term or condition of this Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Order.
4. The licensee understands and agrees that any violation of the terms of this Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13).

SO AGREED on this 7th day of November, 2020.

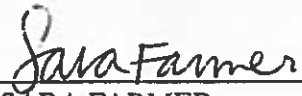
FOR THE LICENSEE:


JOSHUA KADETZ, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:


RICHARD WHITEHOUSE, ESQ.
CHAIR, INQUIRY PANEL B


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K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1590

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 80
HOSPITAL DRIVE, BARBOURVILLE, KENTUCKY 40906

SIXTH AMENDED AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through the Chair of its Inquiry Panel B, and Joshua A. Kadetz, M.D., (hereafter "the licensee"), and, based upon the licensee's request for practice location approval, hereby ENTER INTO the following **SIXTH AMENDED AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Fifth Amended Agreed Order:

1. At all relevant times, Joshua A. Kadetz, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. Charles Lovell, CEO of the Caldwell County Medical Center, reported to the Kentucky Board of Medical Licensure's Executive Director, Michael Rodman, that the licensee was found unresponsive while on duty in the physician sleep room of the hospital. This occurred on or about February 7, 2014.
4. Mr. Lovell stated that he met with the licensee after the incident, who admitted to ingesting SOMA on the day of the incident.

5. On May 30, 2014, the licensee and the Board entered into an Interim Agreed Order for Treatment requiring that the licensee not practice medicine until approved to do so by the Inquiry Panel.
6. Dr. Greg Jones, Medical Director of the Kentucky Physicians Health Foundation ("the Foundation") notified the Board that the licensee was required to attend a 96 hour in-patient evaluation and was subsequently admitted to Pavillon Treatment Center in North Carolina for a minimum of 90 days.
7. On or about March 10, 2014, the licensee entered into Pavillon Treatment Center with the diagnoses of alcohol use disorder, nicotine use disorder, and SOMA use disorder.
8. The licensee reported to Pavillon Treatment Center that he started using SOMA at the age of 31 and at age 41 was using daily and getting it online. He was taking 3500 mg daily. He reported his last use was four tablets of 350 mg of SOMA on March 6, 2014.
9. The licensee failed to complete treatment at the Pavillon Treatment Center in North Carolina. The licensee was administratively discharged from the treatment program on May 16, 2014 with AXIS I diagnoses of Bipolar Disorder NOS; Nicotine Dependence; Sedative, Hypnotic, or Anxiolytic Dependence; and History Alcohol Dependence.
10. In an interview with investigator Stephen Manley, the licensee stated that his discharge was due to failure to meet the financial agreement, but that he had also had two violations prior to his discharge. One violation was use of his cell phone, which was strictly forbidden. The second violation was that he had purchased,

- online from a foreign country, SOMA for his personal use and brought it with him to Pavillion Treatment Center.
11. In a letter to the Board, the licensee stated that his discharge was based upon failure to meet financial responsibilities and the “possibility of dishonesty regarding the financial obligation.”
 12. The discharge summary from Pavillon states that the licensee was discharged due to issues with dishonesty, bringing SOMA on to campus when he arrived, and failure to meet financial obligations.
 13. A letter dated July 7, 2014 from the Foundation advised that due to his administrative discharge from treatment, the licensee did not have the advocacy of the Foundation to resume the practice of medicine in any form in the state of Kentucky.
 14. On August 8, 2014, the licensee entered into an Agreed Order of Indefinite Restriction which prohibited the licensee from engaging in the practice of medicine in the Commonwealth of Kentucky until further order of the Panel.
 15. The licensee successfully completed in-patient treatment at MARR, with an admission date of February 26, 2016 and discharge date of June 17, 2016. He was discharged with Axis I diagnoses of Opioid Use D/O and Alcohol Use D/O and deemed medically clear and stable at time of discharge.
 16. The licensee entered into a contract with the Foundation on June 29, 2016.
 17. On April 9, 2017, the licensee submitted his request to resume the practice of medicine. He stated that he has continued to practice medicine in Tennessee and with the Center for Disease Control and Prevention since entering into the Agreed

Order and provided documentation regarding his completion of continuing medical education courses.

18. In a letter dated February 9, 2017, Will Ward, M.D., Interim Medical Director for the Foundation, stated that the licensee has remained in compliance with the Foundation's directives and that it is his belief that granting the licensee's request to resume the practice of medicine would not pose any undue risk to the public nor place his personal recovery in jeopardy.
19. At its May 18, 2017 meeting, the Panel approved the licensee's request to resume the practice of medicine, pursuant to terms and conditions set forth in an Amended Agreed Order.
20. On June 19, 2017, the Panel Chair approved the licensee's request to practice at four locations owned by Bluegrass Urgent Care, pursuant to the terms of a Second Amended Agreed Order.
21. On December 22, 2017, the Panel Chair approved the licensee's request to practice at an additional location, Manchester Memorial Hospital, pursuant to the terms of a Third Amended Agreed Order.
22. On August 8, 2018, the Panel Chair approved the licensee's request to practice at an additional location, Barbourville ARH, pursuant to the terms of a Fourth Amended Agreed Order.
23. On April 21, 2020, the Panel Chair approved the licensee's request to practice medicine at Harrison Memorial Hospital, pursuant to the terms of a Fifth Amended Agreed Order.

24. On or about October 8, 2020, the Panel Chair approved the licensee's request to practice medicine at Rockcastle Regional Hospital, pursuant to the terms of this Sixth Amended Agreed Order.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Sixth Amended Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(6) and (8). Accordingly, there are legal grounds for the parties to enter into this Sixth Amended Agreed Order.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Sixth Amended Agreed Order.

SIXTH AMENDED AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon the licensee's request for practice location approval, the parties hereby ENTER INTO the following **SIXTH AMENDED AGREED ORDER ("Order")**:

1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;

2. During the effective period of this Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:

- a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.
 - i. **The licensee is approved to practice medicine at Rockcastle Regional Hospital, 145 Newcomb Avenue, Mt. Vernon, Kentucky 40456;**
 - ii. The licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.
 - iii. The licensee's employment must be approved by the Panel or its Chair in advance of commencing employment and such approval must be in writing, before the licensee begins practice at that location. The Panel or its Chair must approve any change in practice location for the licensee in writing and prior to the licensee practicing medicine at that location(s);
- b. Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect "call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;
 - i. The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;

- ii. The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Order;
 - iii. The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Order;
 - c. The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
 - d. The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Order;
 - e. The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Order; and
 - f. The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.
3. The licensee expressly agrees that if he should violate any term or condition of this Order, the licensee's practice will constitute an immediate danger to the public

health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Order.

4. The licensee understands and agrees that any violation of the terms of this Fifth Amended Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13).


SO AGREED on this 13 day of October, 2020.

FOR THE LICENSEE:

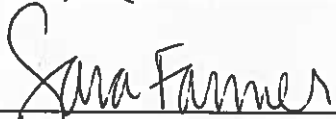

JOSHUA KADETZ, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



RICHARD WHITEHOUSE, ESQ.
CHAIR, INQUIRY PANEL B



SARA FARMER
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310 Whittington Parkway, Suite 1B
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FILED OF RECORD

MAY - 5 2020

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1590

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 80
HOSPITAL DRIVE, BARBOURVILLE, KENTUCKY 40906

FIFTH AMENDED AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through the Chair of its Inquiry Panel B, and Joshua A. Kadetz, M.D., (hereafter "the licensee"), and, based upon the licensee's request for practice location approval, hereby ENTER INTO the following **FIFTH AMENDED AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Fifth Amended Agreed Order:

1. At all relevant times, Joshua A. Kadetz, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. Charles Lovell, CEO of the Caldwell County Medical Center, reported to the Kentucky Board of Medical Licensure's Executive Director, Michael Rodman, that the licensee was found unresponsive while on duty in the physician sleep room of the hospital. This occurred on or about February 7, 2014.
4. Mr. Lovell stated that he met with the licensee after the incident, who admitted to ingesting SOMA on the day of the incident.

5. On May 30, 2014, the licensee and the Board entered into an Interim Agreed Order for Treatment requiring that the licensee not practice medicine until approved to do so by the Inquiry Panel.
6. Dr. Greg Jones, Medical Director of the Kentucky Physicians Health Foundation ("the Foundation") notified the Board that the licensee was required to attend a 96 hour in-patient evaluation and was subsequently admitted to Pavillon Treatment Center in North Carolina for a minimum of 90 days.
7. On or about March 10, 2014, the licensee entered into Pavillon Treatment Center with the diagnoses of alcohol use disorder, nicotine use disorder, and SOMA use disorder.
8. The licensee reported to Pavillon Treatment Center that he started using SOMA at the age of 31 and at age 41 was using daily and getting it online. He was taking 3500 mg daily. He reported his last use was four tablets of 350 mg of SOMA on March 6, 2014.
9. The licensee failed to complete treatment at the Pavillon Treatment Center in North Carolina. The licensee was administratively discharged from the treatment program on May 16, 2014 with AXIS I diagnoses of Bipolar Disorder NOS; Nicotine Dependence; Sedative, Hypnotic, or Anxiolytic Dependence; and History Alcohol Dependence.
10. In an interview with investigator Stephen Manley, the licensee stated that his discharge was due to failure to meet the financial agreement, but that he had also had two violations prior to his discharge. One violation was use of his cell phone, which was strictly forbidden. The second violation was that he had purchased,

online from a foreign country, SOMA for his personal use and brought it with him to Pavillion Treatment Center.

11. In a letter to the Board, the licensee stated that his discharge was based upon failure to meet financial responsibilities and the “possibility of dishonesty regarding the financial obligation.”
12. The discharge summary from Pavillon states that the licensee was discharged due to issues with dishonesty, bringing SOMA on to campus when he arrived, and failure to meet financial obligations.
13. A letter dated July 7, 2014 from the Foundation advised that due to his administrative discharge from treatment, the licensee did not have the advocacy of the Foundation to resume the practice of medicine in any form in the state of Kentucky.
14. On August 8, 2014, the licensee entered into an Agreed Order of Indefinite Restriction which prohibited the licensee from engaging in the practice of medicine in the Commonwealth of Kentucky until further order of the Panel.
15. The licensee successfully completed in-patient treatment at MARR, with an admission date of February 26, 2016 and discharge date of June 17, 2016. He was discharged with Axis I diagnoses of Opioid Use D/O and Alcohol Use D/O and deemed medically clear and stable at time of discharge.
16. The licensee entered into a contract with the Foundation on June 29, 2016.
17. On April 9, 2017, the licensee submitted his request to resume the practice of medicine. He stated that he has continued to practice medicine in Tennessee and with the Center for Disease Control and Prevention since entering into the Agreed

Order and provided documentation regarding his completion of continuing medical education courses.

18. In a letter dated February 9, 2017, Will Ward, M.D., Interim Medical Director for the Foundation, stated that the licensee has remained in compliance with the Foundation's directives and that it is his belief that granting the licensee's request to resume the practice of medicine would not pose any undue risk to the public nor place his personal recovery in jeopardy.
19. At its May 18, 2017 meeting, the Panel approved the licensee's request to resume the practice of medicine, pursuant to terms and conditions set forth in an Amended Agreed Order.
20. On June 19, 2017, the Panel Chair approved the licensee's request to practice at four locations owned by Bluegrass Urgent Care, pursuant to the terms of a Second Amended Agreed Order.
21. On December 22, 2017, the Panel Chair approved the licensee's request to practice at an additional location, Manchester Memorial Hospital, pursuant to the terms of a Third Amended Agreed Order.
22. On August 8, 2018, the Panel Chair approved the licensee's request to practice at an additional location, Barbourville ARH, pursuant to the terms of a Fourth Amended Agreed Order.
23. On April 21, 2020, the Panel Chair approved the licensee's request to practice medicine at Harrison Memorial Hospital, pursuant to the terms of this Fifth Amended Agreed Order.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Fifth Amended Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(6) and (8). Accordingly, there are legal grounds for the parties to enter into this Fifth Amended Agreed Order.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Fifth Amended Agreed Order.

FIFTH AMENDED AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon the licensee's request for practice location approval, the parties hereby ENTER INTO the following **FIFTH AMENDED AGREED ORDER ("Order")**:

1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;
2. During the effective period of this Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," as that term is defined in KRS

311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.

- i. **The licensee is approved to practice medicine at Harrison Memorial Hospital, 1210-KY 36, Cynthiana, Kentucky, 41031;**
 - ii. The licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.
 - iii. The licensee's employment must be approved by the Panel or its Chair in advance of commencing employment and such approval must be in writing, before the licensee begins practice at that location. The Panel or its Chair must approve any change in practice location for the licensee in writing and prior to the licensee practicing medicine at that location(s);
- b. Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect "call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;
- i. The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;
 - ii. The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Order;

- iii. The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Order;
 - c. The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
 - d. The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Order;
 - e. The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Order; and
 - f. The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.
3. The licensee expressly agrees that if he should violate any term or condition of this Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the

relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Order.

4. The licensee understands and agrees that any violation of the terms of this Fifth Amended Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13).

SO AGREED on this 29 day of April, 2020.

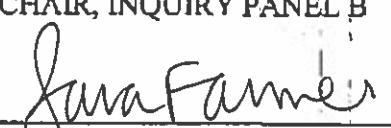
FOR THE LICENSEE:


JOSHUA KADETZ, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:


RICHARD WHITEHOUSE, ESQ.
CHAIR, INQUIRY PANEL B


SARA FARMER
Assistant General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
(502) 429-7150

AUG 14 2018

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1590

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 5565
HEDGE BROOK DRIVE, CUMMING, GEORGIA 30028

FOURTH AMENDED AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through the Chair of its Inquiry Panel B, and Joshua A. Kadetz, M.D., (hereafter "the licensee"), and, based upon the licensee's request for practice location approval, hereby ENTER INTO the following **FOURTH AMENDED AGREED ORDER:**

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Fourth Amended Agreed Order:

1. At all relevant times, Joshua A. Kadetz, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. Charles Lovell, CEO of the Caldwell County Medical Center, reported to the Kentucky Board of Medical Licensure's Executive Director, Michael Rodman, that the licensee was found unresponsive while on duty in the physician sleep room of the hospital. This occurred on or about February 7, 2014.
4. Mr. Lovell stated that he met with the licensee after the incident, who admitted to ingesting SOMA on the day of the incident.

5. On May 30, 2014, the licensee and the Board entered into an Interim Agreed Order for Treatment requiring that the licensee not practice medicine until approved to do so by the Inquiry Panel.
6. Dr. Greg Jones, Medical Director of the Kentucky Physicians Health Foundation ("the Foundation") notified the Board that the licensee was required to attend a 96 hour in-patient evaluation and was subsequently admitted to Pavillon Treatment Center in North Carolina for a minimum of 90 days.
7. On or about March 10, 2014, the licensee entered into Pavillon Treatment Center with the diagnoses of alcohol use disorder, nicotine use disorder, and SOMA use disorder.
8. The licensee reported to Pavillon Treatment Center that he started using SOMA at the age of 31 and at age 41 was using daily and getting it online. He was taking 3500 mg daily. He reported his last use was four tablets of 350 mg of SOMA on March 6, 2014.
9. The licensee failed to complete treatment at the Pavillon Treatment Center in North Carolina. The licensee was administratively discharged from the treatment program on May 16, 2014 with AXIS I diagnoses of Bipolar Disorder NOS; Nicotine Dependence; Sedative, Hypnotic, or Anxiolytic Dependence; and History Alcohol Dependence.
10. In an interview with investigator Stephen Manley, the licensee stated that his discharge was due to failure to meet the financial agreement, but that he had also had two violations prior to his discharge. One violation was use of his cell phone, which was strictly forbidden. The second violation was that he had purchased,

online from a foreign country, SOMA for his personal use and brought it with him to Pavillion Treatment Center.

11. In a letter to the Board, the licensee stated that his discharge was based upon failure to meet financial responsibilities and the “possibility of dishonesty regarding the financial obligation.”
12. The discharge summary from Pavillon states that the licensee was discharged due to issues with dishonesty, bringing SOMA on to campus when he arrived, and failure to meet financial obligations.
13. A letter dated July 7, 2014 from the Foundation advised that due to his administrative discharge from treatment, the licensee did not have the advocacy of the Foundation to resume the practice of medicine in any form in the state of Kentucky.
14. On August 8, 2014, the licensee entered into an Agreed Order of Indefinite Restriction which prohibited the licensee from engaging in the practice of medicine in the Commonwealth of Kentucky until further order of the Panel.
15. The licensee successfully completed in-patient treatment at MARR, with an admission date of February 26, 2016 and discharge date of June 17, 2016. He was discharged with Axis I diagnoses of Opioid Use D/O and Alcohol Use D/O and deemed medically clear and stable at time of discharge.
16. The licensee entered into a contract with the Foundation on June 29, 2016.
17. On April 9, 2017, the licensee submitted his request to resume the practice of medicine. He stated that he has continued to practice medicine in Tennessee and with the Center for Disease Control and Prevention since entering into the Agreed

Order and provided documentation regarding his completion of continuing medical education courses.

18. In a letter dated February 9, 2017, Will Ward, M.D., Interim Medical Director for the Foundation, stated that the licensee has remained in compliance with the Foundation's directives and that it is his belief that granting the licensee's request to resume the practice of medicine would not pose any undue risk to the public nor place his personal recovery in jeopardy.
19. At its May 18, 2017 meeting, the Panel approved the licensee's request to resume the practice of medicine, pursuant to terms and conditions set forth in an Amended Agreed Order.
20. On June 19, 2017, the Panel Chair approved the licensee's request to practice at four locations owned by Bluegrass Urgent Care, pursuant to the terms of a Second Amended Agreed Order.
21. On December 22, 2017, the Panel Chair approved the licensee's request to practice at an additional location, Manchester Memorial Hospital, pursuant to the terms of this Third Amended Agreed Order.
22. On August 8, 2018, the Panel Chair approved the licensee's request to practice at an additional location, Barbourville ARH, pursuant to the terms of this Fourth Amended Agreed Order.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Fourth Amended Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(6) and (8). Accordingly, there are legal grounds for the parties to enter into this Fourth Amended Agreed Order.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Fourth Amended Agreed Order.

FOURTH AMENDED AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon the licensee's request for practice location approval, the parties hereby ENTER INTO the following **FOURTH AMENDED AGREED ORDER:**

1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;
2. During the effective period of this Fourth Amended Agreed Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel

or its Chair has approved, in writing, the practice location at which he will practice medicine.

- i. **The licensee is approved to practice family medicine at Bluegrass Urgent Care at the following locations:**

2025 Declaration Drive
Independence, Kentucky 41051

625 Chestnut Drive
Walton, Kentucky 41094

2327 Buttermilk Crossing
Crescent Springs, Kentucky 41017

85 Carothers Road
Newport, Kentucky 41071; and

- ii. **The licensee is approved to practice family medicine in the Emergency Department of Manchester Memorial Hospital, located in Manchester, Kentucky, 46902; and**
 - iii. **The licensee is approved to practice family medicine in the Emergency Department of Barbourville ARH, 80 Hospital Drive, Barbourville, KY 40906;**
 - iv. **The licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.**
 - v. **The licensee's employment must be approved by the Panel or its Chair in advance of commencing employment and such approval must be in writing, before the licensee begins practice at that location. The Panel or its Chair must approve any change in practice location for the licensee in writing and prior to the licensee practicing medicine at that location(s);**
- b. **Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect**

"call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;

- i. The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;
 - ii. The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Fourth Amended Agreed Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Fourth Amended Agreed Order;
 - iii. The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Fourth Amended Agreed Order;
- c. The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
- d. The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Fourth Amended Agreed Order;
- e. The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully

reimburse the Board's agent within that time frame SHALL constitute a violation of this Fourth Amended Agreed Order; and

f. The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.

3. The licensee expressly agrees that if he should violate any term or condition of this Fourth Amended Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Fourth Amended Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Fourth Amended Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Fourth Amended Agreed Order.
4. The licensee understands and agrees that any violation of the terms of this Fourth Amended Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13), and may provide a legal basis for criminal prosecution.

SO AGREED on this 13 day of August, 2018.


FOR THE LICENSEE:



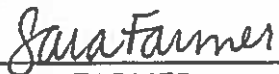
JOSHUA KADETZ, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



RANDEL C. GIBSON, D.O.
CHAIR, INQUIRY PANEL B



SARA FARMER
Assistant General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
(502) 429-7150

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1590

FILED OF RECORD

DEC 22 2017

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 5565
HEDGE BROOK DRIVE, CUMMING, GEORGIA 30028

THIRD AMENDED AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through the Chair of its Inquiry Panel B, and Joshua A. Kadetz, M.D., (hereafter "the licensee"), and, based upon the licensee's request for practice location approval, hereby ENTER INTO the following **THIRD AMENDED AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Third Amended Agreed Order:

1. At all relevant times, Joshua A. Kadetz, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. Charles Lovell, CEO of the Caldwell County Medical Center, reported to the Kentucky Board of Medical Licensure's Executive Director, Michael Rodman, that the licensee was found unresponsive while on duty in the physician sleep room of the hospital. This occurred on or about February 7, 2014.
4. Mr. Lovell stated that he met with the licensee after the incident, who admitted to ingesting SOMA on the day of the incident.

5. On May 30, 2014, the licensee and the Board entered into an Interim Agreed Order for Treatment requiring that the licensee not practice medicine until approved to do so by the Inquiry Panel.
6. Dr. Greg Jones, Medical Director of the Kentucky Physicians Health Foundation ("the Foundation") notified the Board that the licensee was required to attend a 96 hour in-patient evaluation and was subsequently admitted to Pavillon Treatment Center in North Carolina for a minimum of 90 days.
7. On or about March 10, 2014, the licensee entered into Pavillon Treatment Center with the diagnoses of alcohol use disorder, nicotine use disorder, and SOMA use disorder.
8. The licensee reported to Pavillon Treatment Center that he started using SOMA at the age of 31 and at age 41 was using daily and getting it online. He was taking 3500 mg daily. He reported his last use was four tablets of 350 mg of SOMA on March 6, 2014.
9. The licensee failed to complete treatment at the Pavillon Treatment Center in North Carolina. The licensee was administratively discharged from the treatment program on May 16, 2014 with AXIS I diagnoses of Bipolar Disorder NOS; Nicotine Dependence; Sedative, Hypnotic, or Anxiolytic Dependence; and History Alcohol Dependence.
10. In an interview with investigator Stephen Manley, the licensee stated that his discharge was due to failure to meet the financial agreement, but that he had also had two violations prior to his discharge. One violation was use of his cell phone, which was strictly forbidden. The second violation was that he had purchased,

online from a foreign country, SOMA for his personal use and brought it with him to Pavillion Treatment Center.

11. In a letter to the Board, the licensee stated that his discharge was based upon failure to meet financial responsibilities and the “possibility of dishonesty regarding the financial obligation.”
12. The discharge summary from Pavillon states that the licensee was discharged due to issues with dishonesty, bringing SOMA on to campus when he arrived, and failure to meet financial obligations.
13. A letter dated July 7, 2014 from the Foundation advised that due to his administrative discharge from treatment, the licensee did not have the advocacy of the Foundation to resume the practice of medicine in any form in the state of Kentucky.
14. On August 8, 2014, the licensee entered into an Agreed Order of Indefinite Restriction which prohibited the licensee from engaging in the practice of medicine in the Commonwealth of Kentucky until further order of the Panel.
15. The licensee successfully completed in-patient treatment at MARR, with an admission date of February 26, 2016 and discharge date of June 17, 2016. He was discharged with Axis I diagnoses of Opioid Use D/O and Alcohol Use D/O and deemed medically clear and stable at time of discharge.
16. The licensee entered into a contract with the Foundation on June 29, 2016.
17. On April 9, 2017, the licensee submitted his request to resume the practice of medicine. He stated that he has continued to practice medicine in Tennessee and with the Center for Disease Control and Prevention since entering into the Agreed

Order and provided documentation regarding his completion of continuing medical education courses.

18. In a letter dated February 9, 2017, Will Ward, M.D., Interim Medical Director for the Foundation, stated that the licensee has remained in compliance with the Foundation's directives and that it is his belief that granting the licensee's request to resume the practice of medicine would not pose any undue risk to the public nor place his personal recovery in jeopardy.
19. At its May 18, 2017 meeting, the Panel approved the licensee's request to resume the practice of medicine, pursuant to terms and conditions set forth in an Amended Agreed Order.
20. On June 19, 2017, the Panel Chair approved the licensee's request to practice at four locations owned by Bluegrass Urgent Care, pursuant to the terms of a Second Amended Agreed Order.
21. On December 22, 2017, the Panel Chair approved the licensee's request to practice at an additional location, Manchester Memorial Hospital, pursuant to the terms of this Third Amended Agreed Order.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Third Amended Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.

2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(6), and (8). Accordingly, there are legal grounds for the parties to enter into this Third Amended Agreed Order.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Third Amended Agreed Order.

THIRD AMENDED AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon the licensee's request to resume the practice of medicine, the parties hereby ENTER INTO the following **THIRD AMENDED AGREED ORDER**:

1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;
2. During the effective period of this Third Amended Agreed Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.
 - i. The licensee is approved to practice family medicine at Bluegrass Urgent Care at the following locations:

2025 Declaration Drive
Independence, Kentucky 41051

625 Chestnut Drive
Walton, Kentucky 41094

2327 Buttermilk Crossing
Crescent Springs, Kentucky 41017

85 Carothers Road
Newport, Kentucky 41071; and

- ii. **The licensee is approved to practice family medicine in the Emergency Department of Manchester Memorial Hospital, located in Manchester, Kentucky, 46902;**
 - iii. The licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.
 - iv. The licensee's employment must be approved by the Panel or its Chair in advance of commencing employment and such approval must be in writing, before the licensee begins practice at that location. The Panel or its Chair must approve any change in practice location for the licensee in writing and prior to the licensee practicing medicine at that location(s);
- b. Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect "call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;
- i. The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;

- ii. The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Third Amended Agreed Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Third Amended Agreed Order;
 - iii. The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Third Amended Agreed Order;
 - c. The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
 - d. The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Third Amended Agreed Order;
 - e. The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Third Amended Agreed Order; and
 - f. The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.
3. The licensee expressly agrees that if he should violate any term or condition of this Third Amended Agreed Order, the licensee's practice will constitute an

immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Third Amended Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Third Amended Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Third Amended Agreed Order.

4. The licensee understands and agrees that any violation of the terms of this Third Amended Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13), and may provide a legal basis for criminal prosecution.

SO AGREED on this 22nd day of December, 2017.

FOR THE LICENSEE:


JOSHUA KADETZ, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:

Randel Gibson D.O.
RANDEL C. GIBSON, D.O.
CHAIR, INQUIRY PANEL B

Sara Farmer
SARA FARMER
Assistant General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
(502) 429-7150

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1590

JUN 20 2017

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 5565
HEDGE BROOK DRIVE, CUMMING, GEORGIA 30028

SECOND AMENDED AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel B, and Joshua A. Kadetz, M.D., (hereafter "the licensee"), and, based upon the licensee's request for practice location approval, hereby ENTER INTO the following **SECOND AMENDED AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Second Amended Agreed Order:

1. At all relevant times, Joshua A. Kadetz, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. Charles Lovell, CEO of the Caldwell County Medical Center, reported to the Kentucky Board of Medical Licensure's Executive Director, Michael Rodman, that the licensee was found unresponsive while on duty in the physician sleep room of the hospital. This occurred on or about February 7, 2014.
4. Mr. Lovell stated that he met with the licensee after the incident, who admitted to ingesting SOMA on the day of the incident.

5. On May 30, 2014, the licensee and the Board entered into an Interim Agreed Order for Treatment requiring that the licensee not practice medicine until approved to do so by the Inquiry Panel.
6. Dr. Greg Jones, Medical Director of the Kentucky Physicians Health Foundation ("the Foundation") notified the Board that the licensee was required to attend a 96 hour in-patient evaluation and was subsequently admitted to Pavillon Treatment Center in North Carolina for a minimum of 90 days.
7. On or about March 10, 2014, the licensee entered into Pavillon Treatment Center with the diagnoses of alcohol use disorder, nicotine use disorder, and SOMA use disorder.
8. The licensee reported to Pavillon Treatment Center that he started using SOMA at the age of 31 and at age 41 was using daily and getting it online. He was taking 3500 mg daily. He reported his last use was four tablets of 350 mg of SOMA on March 6, 2014.
9. The licensee failed to complete treatment at the Pavillon Treatment Center in North Carolina. The licensee was administratively discharged from the treatment program on May 16, 2014 with AXIS I diagnoses of Bipolar Disorder NOS; Nicotine Dependence; Sedative, Hypnotic, or Anxiolytic Dependence; and History Alcohol Dependence.
10. In an interview with investigator Stephen Manley, the licensee stated that his discharge was due to failure to meet the financial agreement, but that he had also had two violations prior to his discharge. One violation was use of his cell phone, which was strictly forbidden. The second violation was that he had purchased,

online from a foreign country, SOMA for his personal use and brought it with him to Pavillion Treatment Center.

11. In a letter to the Board, the licensee stated that his discharge was based upon failure to meet financial responsibilities and the “possibility of dishonesty regarding the financial obligation.”
12. The discharge summary from Pavillion states that the licensee was discharged due to issues with dishonesty, bringing SOMA on to campus when he arrived, and failure to meet financial obligations.
13. A letter dated July 7, 2014 from the Foundation advised that due to his administrative discharge from treatment, the licensee did not have the advocacy of the Foundation to resume the practice of medicine in any form in the state of Kentucky.
14. On August 8, 2014, the licensee entered into an Agreed Order of Indefinite Restriction which prohibited the licensee from engaging in the practice of medicine in the Commonwealth of Kentucky until further order of the Panel.
15. The licensee successfully completed in-patient treatment at MARR, with an admission date of February 26, 2016 and discharge date of June 17, 2016. He was discharged with Axis I diagnoses of Opioid Use D/O and Alcohol Use D/O and deemed medically clear and stable at time of discharge.
16. The licensee entered into a contract with the Foundation on June 29, 2016.
17. On April 9, 2017, the licensee submitted his request to resume the practice of medicine. He stated that he has continued to practice medicine in Tennessee and with the Center for Disease Control and Prevention since entering into the Agreed

Order and provided documentation regarding his completion of continuing medical education courses.

18. In a letter dated February 9, 2017, Will Ward, M.D., Interim Medical Director for the Foundation, stated that the licensee has remained in compliance with the Foundation's directives and that it is his belief that granting the licensee's request to resume the practice of medicine would not pose any undue risk to the public nor place his personal recovery in jeopardy.
19. At its May 18, 2017 meeting, the Panel approved the licensee's request to resume the practice of medicine, pursuant to terms and conditions set forth in an Amended Agreed Order.
20. On June 19, 2017, the Panel Chair approved the licensee's request to practice at four locations owned by Bluegrass Urgent Care, pursuant to the terms of this Second Amended Agreed Order.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Second Amended Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(6), and (8). Accordingly, there are legal grounds for the parties to enter into this Second Amended Agreed Order.

3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Second Amended Agreed Order.

SECOND AMENDED AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon the licensee's request to resume the practice of medicine, the parties hereby ENTER INTO the following **SECOND AMENDED AGREED ORDER**:

1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;
2. During the effective period of this Amended Agreed Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.
 - i. The licensee is approved to practice family medicine up to forty (40) hours per week at Bluegrass Urgent Care at the following locations:

2025 Declaration Drive
Independence, Kentucky 41051

625 Chestnut Drive
Walton, Kentucky 41094

2327 Buttermilk Crossing
Crescent Springs, Kentucky 41017

85 Carothers Road
Newport, Kentucky 41071

- ii. The licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.
 - iii. The licensee's employment must be approved by the Panel or its Chair in advance of commencing employment and such approval must be in writing, before the licensee begins practice at that location. The Panel or its Chair must approve any change in practice location for the licensee in writing and prior to the licensee practicing medicine at that location(s);
- b. Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect "call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;
- i. The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;
 - ii. The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Second Amended Agreed Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Second Amended Agreed Order;

- iii. The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Second Amended Agreed Order;
 - c. The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
 - d. The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Second Amended Agreed Order;
 - e. The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Second Amended Agreed Order; and
 - f. The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.
3. The licensee expressly agrees that if he should violate any term or condition of this Second Amended Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Second Amended Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a

violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Amended Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Second Amended Agreed Order.

4. The licensee understands and agrees that any violation of the terms of this Second Amended Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13), and may provide a legal basis for criminal prosecution.


SO AGREED on this 20th day of June, 2017.

FOR THE LICENSEE:


JOSHUA KADETZ, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:


RUSSELL L. TRAVIS, M.D.
CHAIR, INQUIRY PANEL B

Sara Farmer

SARA FARMER

Assistant General Counsel

Kentucky Board of Medical Licensure

310 Whittington Parkway, Suite 1B

Louisville, Kentucky 40222

(502) 429-7150

MAY 25 2017

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1590

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 5565
HEDGE BROOK DRIVE, CUMMING, GEORGIA 30028

AMENDED AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel B, and Joshua A. Kadetz, M.D., (hereafter "the licensee"), and, based upon the licensee's request to resume the practice of medicine, hereby ENTER INTO the following **AMENDED AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Amended Agreed Order:

1. At all relevant times, Joshua A. Kadetz, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. Charles Lovell, CEO of the Caldwell County Medical Center, reported to the Kentucky Board of Medical Licensure's Executive Director, Michael Rodman, that the licensee was found unresponsive while on duty in the physician sleep room of the hospital. This occurred on or about February 7, 2014.
4. Mr. Lovell stated that he met with the licensee after the incident, who admitted to ingesting SOMA on the day of the incident.

5. On May 30, 2014, the licensee and the Board entered into an Interim Agreed Order for Treatment requiring that the licensee not practice medicine until approved to do so by the Inquiry Panel.
6. Dr. Greg Jones, Medical Director of the Kentucky Physicians Health Foundation ("the Foundation") notified the Board that the licensee was required to attend a 96 hour in-patient evaluation and was subsequently admitted to Pavillon Treatment Center in North Carolina for a minimum of 90 days.
7. On or about March 10, 2014, the licensee entered into Pavillon Treatment Center with the diagnoses of alcohol use disorder, nicotine use disorder, and SOMA use disorder.
8. The licensee reported to Pavillon Treatment Center that he started using SOMA at the age of 31 and at age 41 was using daily and getting it online. He was taking 3500 mg daily. He reported his last use was four tablets of 350 mg of SOMA on March 6, 2014.
9. The licensee failed to complete treatment at the Pavillon Treatment Center in North Carolina. The licensee was administratively discharged from the treatment program on May 16, 2014 with AXIS I diagnoses of Bipolar Disorder NOS; Nicotine Dependence; Sedative, Hypnotic, or Anxiolytic Dependence; and History Alcohol Dependence.
10. In an interview with investigator Stephen Manley, the licensee stated that his discharge was due to failure to meet the financial agreement, but that he had also had two violations prior to his discharge. One violation was use of his cell phone, which was strictly forbidden. The second violation was that he had purchased,

online from a foreign country, SOMA for his personal use and brought it with him to Pavillion Treatment Center.

11. In a letter to the Board, the licensee stated that his discharge was based upon failure to meet financial responsibilities and the “possibility of dishonesty regarding the financial obligation.”
12. The discharge summary from Pavillon states that the licensee was discharged due to issues with dishonesty, bringing SOMA on to campus when he arrived, and failure to meet financial obligations.
13. A letter dated July 7, 2014 from the Foundation advised that due to his administrative discharge from treatment, the licensee did not have the advocacy of the Foundation to resume the practice of medicine in any form in the state of Kentucky.
14. On August 8, 2014, the licensee entered into an Agreed Order of Indefinite Restriction which prohibited the licensee from engaging in the practice of medicine in the Commonwealth of Kentucky until further order of the Panel.
15. The licensee successfully completed in-patient treatment at MARR, with an admission date of February 26, 2016 and discharge date of June 17, 2016. He was discharged with Axis I diagnoses of Opioid Use D/O and Alcohol Use D/O and deemed medically clear and stable at time of discharge.
16. The licensee entered into a contract with the Foundation on June 29, 2016.
17. On April 9, 2017, the licensee submitted his request to resume the practice of medicine. He stated that he has continued to practice medicine in Tennessee and with the Center for Disease Control and Prevention since entering into the Agreed

Order and provided documentation regarding his completion of continuing medical education courses.

18. In a letter dated February 9, 2017, Will Ward, M.D., Interim Medical Director for the Foundation, stated that the licensee has remained in compliance with the Foundation's directives and that it is his belief that granting the licensee's request to resume the practice of medicine would not pose any undue risk to the public nor place his personal recovery in jeopardy.

19. On May 18, 2017, the Panel approved the licensee's request to resume the practice of medicine, pursuant to terms and conditions set forth in this Amended Agreed Order.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Amended Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(6), and (8). Accordingly, there are legal grounds for the parties to enter into this Amended Agreed Order.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Amended Agreed Order.

AMENDED AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon the licensee's request to resume the practice of medicine, the parties hereby ENTER INTO the following **AMENDED AGREED ORDER**:

1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;
2. During the effective period of this Amended Agreed Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.
 - i. The decision whether to approve a particular practice location lies in the sole discretion of the Panel or its Chair. In determining whether to approve a particular practice location, the Panel or its Chair will particularly consider whether there will be appropriate supervision of the licensee, and may also consider the nature of the practice, including the licensee's proposed duties and hours to be worked. In approving such practice location, the Panel or its Chair may include specific conditions/restrictions to ensure patient safety.
 - ii. Once approved, the licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may

require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.

- b. Beginning immediately, the licensee SHALL maintain a "controlled substances log" for all controlled substances prescribed, dispensed or otherwise utilized. The controlled substances log SHALL include date, patient name, patient complaint, medication prescribed, when it was last prescribed and how much on the last visit. Note: All log sheets shall be consecutively numbered, legible i.e. printed or typed, and must reflect "call-in" and refill information. Prescriptions shall be maintained in the following manner: 1) patient; 2) chart; and 3) log;
 - i. The licensee SHALL permit the Board's agents to inspect, copy and/or obtain the controlled substance log and other relevant records, upon request, for review by the Board's agents and/or consultants;
 - ii. The licensee SHALL reimburse the Board fully for the costs of each consultant review performed pursuant to this Amended Agreed Order. Once the Board receives the invoice from the consultant(s) for each review, it will provide the licensee with a redacted copy of that invoice, omitting the consultant's identifying information. The licensee SHALL pay the costs noted on the invoice within thirty (30) days of the date on the Board's written notice. The licensee's failure to fully reimburse the Board within that time frame SHALL constitute a violation of this Amended Agreed Order;
 - iii. The licensee understands and agrees that at least two (2) favorable consultant reviews must be performed, on terms determined by the Panel or its staff, before the Panel will consider a request to terminate this Amended Agreed Order;
- c. The licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
- d. The licensee shall completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The licensee must inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Amended Agreed Order;

- e. The licensee shall be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the licensee, and the licensee will pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Amended Agreed Order; and
 - f. The licensee SHALL NOT violate any provision of KRS 311.595 or 311.597.
3. The licensee expressly agrees that if he should violate any term or condition of this Amended Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Amended Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Amended Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Amended Agreed Order.

4. The licensee understands and agrees that any violation of the terms of this Amended Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13), and may provide a legal basis for criminal prosecution.

SO AGREED on this 25th day of May, 2017.

FOR THE LICENSEE:



JOSHUA KADETZ, M.D.

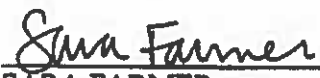
COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



RUSSELL L. TRAVIS, M.D.

RUSSELL L. TRAVIS, M.D.
CHAIR, INQUIRY PANEL B



SARA FARMER
Assistant General Counsel
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AUG 08 2014

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1590

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA KADETZ, M.D., LICENSE NO. 42223, 110
FARM HILL DRIVE, HOPKINSVILLE, KENTUCKY 42240

AGREED ORDER OF INDEFINITE RESTRICTION

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel B, and Joshua A. Kadetz, M.D., (hereafter "the licensee"), and, based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, hereby ENTER INTO the following **AGREED ORDER OF INDEFINITE RESTRICTION:**

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Agreed Order of Indefinite Restriction:

1. At all relevant times, Joshua A. Kadetz, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. Charles Lovell, CEO of the Caldwell County Medical Center, reported to the Kentucky Board of Medical Licensure's Executive Director, Michael Rodman, that the licensee was found unresponsive while on duty in the physician sleep room of the hospital. This occurred on or about February 7, 2014.
4. Mr. Lovell stated that he met with the licensee after the incident, who admitted to ingesting SOMA on the day of the incident.

5. On May 30, 2014, the licensee and the Board entered into an Interim Agreed Order for Treatment requiring that the licensee not practice medicine until approved to do so by the Inquiry Panel.
6. Dr. Greg Jones, Medical Director of the Kentucky Physicians Health Foundation notified the Board that the licensee was required to attend a 96 hour in-patient evaluation and was subsequently admitted to Pavillon Treatment Center in North Carolina for a minimum of 90 days.
7. On or about March 10, 2014, the licensee entered into Pavillon Treatment Center with the diagnoses of alcohol use disorder, nicotine use disorder, and SOMA use disorder.
8. The licensee reported to Pavillon Treatment Center that he started using SOMA at the age of 31 and at age 41 was using daily and getting it online. He was taking 3500 mg daily. He reported his last use was four tablets of 350 mg of SOMA on March 6, 2014.
9. The licensee failed to complete treatment at the Pavillon Treatment Center in North Carolina. The licensee was administratively discharged from the treatment program on May 16, 2014 with AXIS I diagnoses of Bipolar Disorder NOS; Nicotine Dependence; Sedative, Hypnotic, or Anxiolytic Dependence; and History Alcohol Dependence.
10. In an interview with investigator Stephen Manley, the licensee stated that his discharge was due to failure to meet the financial agreement, but that he had also had two violations prior to his discharge. One violation was use of his cell phone, which was strictly forbidden. The second violation was that he had purchased,

online from a foreign country, SOMA for his personal use and brought it with him to Pavillion Treatment Center.

11. In a letter to the Board, the licensee stated that his discharge was based upon failure to meet financial responsibilities and the “possibility of dishonesty regarding the financial obligation.”
12. The discharge summary from Pavillon states that the licensee was discharged due to issues with dishonesty, bringing SOMA on to campus when he arrived, and failure to meet financial obligations.
13. A letter dated July 7, 2014 from the Kentucky Physicians Health Foundation advises that due to his administrative discharge from treatment, the licensee does not have the advocacy of the Foundation to resume the practice of medicine in any form in the state of Kentucky.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Agreed Order of Indefinite Restriction:

1. The licensee’s Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(6), and (8). Accordingly, there are legal grounds for the parties to enter into this Agreed Order of Indefinite Restriction.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by

entering into an informal resolution such as this Agreed Order of Indefinite Restriction.

AGREED ORDER OF INDEFINITE RESTRICTION

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, the parties hereby ENTER INTO the following **AGREED ORDER OF INDEFINITE RESTRICTION:**

1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA A. KADETZ, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;
2. During the effective period of this Agreed Order of Indefinite Restriction, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/ LIMITATION until further order of the Board:
 - a. The licensee SHALL NOT perform any act within the Commonwealth of Kentucky that constitutes the "practice of medicine," as that term is defined by KRS 311.550(10) – the diagnosis, treatment or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities - unless and until approved to do so by the Panel;
 - b. The Panel SHALL NOT consider a petition to resume the active practice of medicine from the licensee, unless such petition is accompanied by a favorable

recommendation by the Medical Director of the Kentucky Physicians Health Foundation ("the Foundation"), which shall include:

1. A copy of his contract with the Foundation, if applicable;
 2. A copy of a discharge summary from a 90-day residential treatment facility and any reports of other evaluations performed after the date of entry of this Agreed Order of Indefinite Restriction;
 3. If not included in that discharge summary, a statement of a all aftercare requirements for the licensee;
 4. An assessment that the licensee may safely resume the active practice of medicine without undue risk or danger to patients or the public; and
 5. A statement of the licensee's specific plans for his return to medical practice, including prospective employer and practice descriptions.
- c. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
3. The licensee expressly agrees that if he should violate any term or condition of this Agreed Order of Indefinite Restriction, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Agreed Order of Indefinite Restriction, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair

should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Agreed Order of Indefinite Restriction would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Agreed Order of Indefinite Restriction.

4. The licensee understands and agrees that any violation of the terms of this Agreed Order of Indefinite Restriction would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13), and may provide a legal basis for criminal prosecution.


SO AGREED on this 24th day of July, 2014.

FOR THE LICENSEE:


JOSHUA. KADETZ, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



RANDEL C. GIBSON, D.O.
CHAIR, INQUIRY PANEL B

Sara Farmer

SARA FARMER

Assistant General Counsel

Kentucky Board of Medical Licensure

310 Whittington Parkway, Suite 1B

Louisville, Kentucky 40222

(502) 429-7150

MAY 30 2014

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. IAO(T)-47

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY JOSHUA A. KADETZ, M.D., LICENSE NO. 42223,
110 FARM HILL DRIVE, HOPKINSVILLE, KENTUCKY 42240

INTERIM AGREED ORDER (TREATMENT)

Come now the Kentucky Board of Medical Licensure ("the Board"), acting by and through its Inquiry Panel B, and Joshua A. Kadetz, M.D. ("the licensee"), and, based upon their mutual desire to ensure that the public is fully protected while the Board is completing its investigation, hereby ENTER INTO the following INTERIM AGREED ORDER:

1. The licensee shall not engage in any act which would constitute the "practice of medicine," as that term is defined in KRS 311.550(10) – "the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities" – from the date of filing of this Interim Agreed Order until approved to do so by the Inquiry Panel;
2. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597;
3. If there is information satisfactory to the Panel or the Panel Chair that the licensee has failed to comply with any condition of this Interim Agreed Order, the Panel or the Panel Chair may immediately terminate this Interim Agreed Order and issue a Complaint and, if deemed appropriate, an Emergency Order;
4. While this Interim Agreed Order does not constitute final action on this matter, federal regulations require that it be reported to the National Practitioner's Data Bank.

Furthermore, it is subject to release upon request pursuant to the Open Records Act;
and

5. The licensee understands and agrees that any violation of the terms and conditions of this Interim Agreed Order shall constitute a separate violation and may result in disciplinary action against his Kentucky medical license, including revocation, pursuant to KRS 311.595(13).

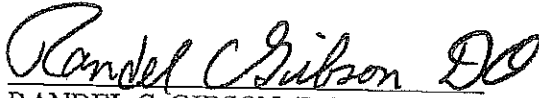
SO AGREED on this 23 day of May, 2014.

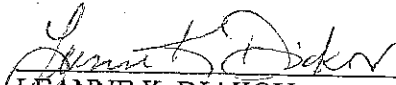
FOR THE LICENSEE:


JOSHUA A. KADETZ, M.D.

COUNSEL FOR LICENSEE
(IF APPLICABLE)

FOR THE BOARD:


RANDEL C. GIBSON, D.O.
CHAIR, INQUIRY PANEL B


LEANNE K. DIAKOV
General Counsel
Kentucky Board of Medical Licensure
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