

FILED OF RECORD

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K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2080

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH
OF KENTUCKY HELD BY EMAD RASOUL ARZRUMLY, M.D., LICENSE
NO. 57581, 6760 158TH STREET W., APPLE VALLEY, MINNESOTA 55124

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (“the Board”) and Emad Rasoul Arzrumly, M.D., (“the licensee”), and, based upon their mutual desire to grant the applicant/licensee a license to practice medicine in the Commonwealth of Kentucky, hereby ENTER INTO the following **AGREED ORDER**:

STIPULATIONS OF FACT

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

1. At all relevant times, Emad Rasoul Arzrumly, M.D. (“the licensee”) was an applicant for a medical license within the Commonwealth of Kentucky.
2. The licensee’s medical specialty is internal medicine.
3. The licensee previously held a residency permit in the State of Minnesota.
4. In or around October 2019, while the licensee was practicing pursuant to his Minnesota residency permit in a postgraduate training program at the University of Minnesota, a patient alleged that the licensee sexually assaulted her and criminal charges were brought against him in *Minnesota v. Arzrumly*, Case No. 27-CR-20-4564 (District Court, Hennepin County, State of Minnesota).
5. Upon report of the allegations, the University of Minnesota placed the licensee on administrative leave and then terminated the licensee’s fellowship in May 2020.

6. On or about June 2, 2020, the Minnesota Board of Medical Practice opened an investigation and, on or about June 29, 2020, the licensee entered into a Stipulation to Cease Practicing Medicine pending resolution of that investigation.
7. In or around November 2021, after delays due to the COVID pandemic, a jury trial was held in *Minnesota v. Arzrumly* and the licensee was found not guilty and acquitted on all charges.
8. On or about December 14, 2021, the Minnesota Board of Medical Practice closed its investigation with no action.
9. On or about January 7, 2022, the licensee applied for a license to practice medicine in the Commonwealth of Kentucky and, in light of the fact that the licensee had not engaged in the active practice of medicine in more than two (2) years, the licensee submitted to a reentry clinical skills evaluation at CPEP in October 2022.
10. CPEP found that the licensee demonstrated a fair fund of knowledge in the field of outpatient and inpatient internal medicine with scattered gaps and areas in which his knowledge was outdated; the licensee's clinical judgment and reasoning were mostly adequate with some need for improvement in areas of data gathering and formulation of differential diagnoses; the licensee's documentation abilities were generally adequate with some need for improvement in regard to consistency; and the licensee demonstrated adequate communication skills with patients and professional communication skills with peers.
11. CPEP opined that the licensee is safe to resume practice in a setting that incorporates structure, support, oversight and accountability while remediating educational needs through execution of an Education Plan.

STIPULATED CONCLUSIONS OF LAW

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

1. By submitting an Application for Medical/Osteopathic License to the Board, the applicant's license is subject to regulation and discipline by the Board.
2. KRS 311.571 provides that the Board may deny licensure to an applicant without a prior evidentiary hearing upon a finding that the applicant has violated any provision of KRS 311.595 or 311.597 or is otherwise unfit to practice.
3. Based upon the Stipulations of Fact, there are grounds to deny the applicant a license pursuant to the provisions of KRS 311.595(8). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.
4. Pursuant to KRS 311.591(6) and 201 KAR 9:082, and in lieu of denial of application, the parties enter into an informal resolution such as this Agreed Order.

AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and as an express condition of the Board approving the applicant's Application for Medical/Osteopathic License in the Commonwealth of Kentucky, the parties hereby enter into the following **AGREED ORDER**:

1. The license to practice medicine in the Commonwealth of Kentucky held by Emad Rasoul Arzrumly, M.D., is hereby **PLACED ON PROBATION FOR A PERIOD OF FIVE (5) YEARS**, with that period of probation to become effective immediately upon the filing of this Agreed Order;

2. During the effective period of this Agreed Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
- a. Within twenty (20) days from the date of entry of this Agreed Order, the licensee SHALL take all necessary steps to arrange for CPEP to immediately develop an Education Plan, as recommended in its Reentry to Clinical Practice Program Report (October 2022), at his expense;
 - b. The licensee SHALL only practice medicine in an environment or setting approved by CPEP until the Education Plan is successfully completed and the Board terminates this Agreed Order;
 - c. Upon receipt of an Education Plan from CPEP, the licensee SHALL comply with the Education Plan, at his expense and as directed by CPEP. In addition, if deemed necessary and appropriate by CPEP, the licensee SHALL successfully complete a Post-Education Assessment, at his expense and as directed by CPEP;
 - d. The licensee SHALL take all necessary steps, including the execution of waivers and/or releases, to ensure that CPEP provides timely written reports to the Board outlining his compliance with the Education Plan;
 - e. The licensee SHALL successfully complete the CPEP Education Plan on or before December 15, 2026. The licensee understands and agrees that he may request termination of this Agreed Order after he successfully completes the Education Plan; and
 - f. 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, his practice shall 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, 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 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.

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

SO AGREED on this 20th day of December, 2022.

FOR THE LICENSEE:



EMAD RASOUL ARZRUMLY, M.D.

COUNSEL FOR THE APPLICANT
(IF APPLICABLE)

FOR THE BOARD:



WILLIAM C. THORNBURY, JR., M.D.
PRESIDENT

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