

APR 26 2023

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2104

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY ERHAN ERDEGER, M.D., LICENSE NO. 50839, 7558 CENTRAL PARKE BOULEVARD, MASON, OHIO 45040

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter “the Board”), acting by and through its Inquiry Panel A, and Erhan Erdeger, M.D. (hereafter “the licensee”), and, based upon their mutual desire to resolve this pending investigation without an evidentiary hearing, 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, Erhan Erdeger, M.D. (“the licensee”), was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee’s medical specialty is Internal Medicine.
3. The licensee is also licensed by the State Medical Board of Ohio (“Ohio Board”).
4. On or about February 8, 2023, the Ohio Board entered a Consent Order regarding the medical license held by the licensee.
5. The Ohio Board found that the licensee violated Ohio statutes when, on at least one occasion in or around June 2022, one of his non-licensed employees provided and administered IV therapy, with a saline solution, to a patient, and there were no licensed health care providers present at the facility owned by the licensee, other than an esthetician. Further, the licensee had not previously evaluated or examined the patient, and he did not know at the time the non-licensed employee administered

the IV whether it was appropriate to provide IV therapy to the patient. The licensee acknowledged, as the owner and employer, he had the primary responsibility to supervise his non-licensed employee and that as a physician, it is his responsibility to ensure that non-licensed employees only perform tasks that have been appropriately delegated to the employee.

6. The Ohio Consent Order imposed the following conditions:
 - a. The licensee was REPRIMANDED.
 - b. The licensee shall provide acceptable documentation of successful completion of a course or courses dealing with professional ethics. He shall also submit to the Board a written report describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice in the future.
 - c. The licensee shall remit payment in full of a monetary fine of five thousand dollars (\$5,000.00).
7. On or about March 3, 2023, the licensee, through his attorney, notified the Kentucky Board by letter of the Ohio action. However, the licensee did not report the disciplinary action taken by the Ohio Board within ten days of the February 8, 2023 Consent Order as required by 201 KAR 9:081(9)(2)(a)(2).
8. The licensee agreed to enter into this Agreed Order in lieu of the issuance of a Complaint.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this 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(12) and (17). Accordingly, there are legal

grounds for the parties to enter into this 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 Agreed Order.

AGREED ORDER

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:**

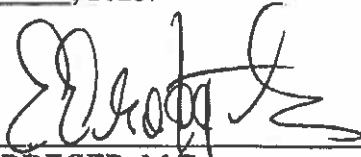
1. During the effective period of this Agreed Order, the licensee's medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
 - a. Pursuant to KRS 311.565(1)(v), the licensee SHALL submit payment of a FINE in the amount of \$1,000.00, within three (3) months of the filing of this Agreed Order; and
 - b. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
2. Upon verification of full payment of the fine in the amount of \$1,000.00, the Board agrees to terminate this Agreed Order.
3. The licensee expressly agrees that if he should violate any term or condition of this 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 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

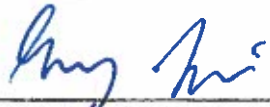
General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant 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 26th day of April, 2023.


FOR THE LICENSEE:


ERHAN ERDEGER, M.D.


GREGORY A. TAPOCSI
COUNSEL FOR THE LICENSEE

FOR THE BOARD:


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


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