

JUN 24 2024

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2166

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY CHRIS A. ETHRIDGE, M.D., LICENSE NO. 55624, 2065 BLACKHORSE LANE, LEXINGTON, KENTUCKY 40503-3709

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (“the Board”) and Chris A. Ethridge, M.D., (“the licensee”), and, based upon their mutual desire to fully and finally resolve the 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, Chris A. Ethridge, M.D., (“the licensee”) was licensed by the Board to practice medicine in the Commonwealth of Kentucky.
2. The licensee’s medical specialty is Family Medicine.
3. On or about April 7, 2018, the licensee submitted an application for a license to practice residency in the University of Louisville Family Medicine Residency program in the Commonwealth of Kentucky.
4. On July 1, 2015, an institutional practice license, IP1451, was issued by the Board to the licensee to practice medicine in the University of Louisville Anesthesiology Residency program within the Commonwealth of Kentucky.
5. On or about March 13, 2017, Laura Clark, M.D., Resident Program Director of the University of Louisville, Department of Anesthesiology referred the licensee to the

- Kentucky Physicians Health Foundation (“the Foundation”) regarding a concern for substance use disorder.
6. On or about March 15, 2017, the licensee met with Will W. Ward, M.D., Interim Medical Director for the Foundation and was referred to inpatient treatment for substance use disorder.
 7. During an interview with a Board investigator, Brian Yarberry, Director of Pharmacy, Norton Children’s Hospital, stated that he was informed of possible issues with missing narcotics from PYXIS by Dr. Andrea Kristofy on March 10, 2017. Mr. Yarberry stated he reviewed the logs and discovered 23 vials of Remifentanil and/or fentanyl checked out by the licensee which could not be accounted for. He stated that he notified Louisville Metro Police Department and Dr. Laura Clark.
 8. In a written statement, Dr. Andrea Kristofy, Staff Anesthesiologist, Norton Children’s Hospital, stated that on or about March 10, 2017, she became aware that the licensee had removed two (2) vials of Remifentanil from a patient. Dr. Kristofy stated that she contacted the licensee, who stated that he had taken the drugs home by accident. Dr. Kristofy asked the licensee to return to the hospital with the medications. The licensee returned to the hospital and properly wasted the medication with Dr. Kristofy. Dr. Kristofy noted that the vials of Remifentanil were reconstituted already.
 9. The licensee entered residential treatment at Metro Atlanta Recovery Residences (“MARR”) on March 21, 2017 and was successfully discharged on June 22, 2017 with an Axis I diagnoses of Opioid Use Disorder; Cannabis Use Disorder, Mild; and PTSD by History.

10. The licensee entered into an Interim Agreed Order with this Board on April 12, 2017, which prohibited the licensee from engaging in the practice of medicine.
11. On June 12, 2017, the licensee entered into an aftercare contract with the Foundation.
12. The Board's Inquiry Panel B considered the investigation at its September 21, 2017 meeting. The licensee entered into an Agreed Order in Case No. 1820, which was filed of record on September 25, 2017. The Agreed Order required the licensee to maintain a contractual relationship with the Foundation.
13. In an addendum to his application, the licensee stated, "In January 2018 I voluntarily resigned from my residency in anesthesiology to pursue a different specialty, as my discomfort with my environment had led to my decision to use alternative medications in cases without prior approval."
14. The Board considered the application submitted by the licensee at its June 21, 2018 meeting. The licensee was provided notice of the scheduled meeting date and time at which this Board would consider his application for licensure in the Commonwealth of Kentucky. The licensee did not appear.
15. On or about June 26, 2016, the Board granted the licensee a residency license pursuant to an Agreed Order, Case No. 1870, which required that he maintain a contractual relationship with the Foundation and prohibited him from prescribing controlled substances.
16. In June 2021, the Board granted the licensee a regular license and at which time it terminated his Agreed Order, Case No. 1870, contingent upon him entering into a letter of agreement requiring that he maintain a contractual relationship with the Foundation through its June 2022 expiration.

17. On or about June 12, 2022, the licensee's contractual relationship with the Foundation and his letter of agreement with the Board expired.
18. On or about January 29, 2024, the licensee's employer reported to the Board that it had discovered that the licensee was diverting ketamine from a lockbox in the clinic and that when confronted the licensee admitted to having relapsed.
19. The licensee entered residential treatment at Bradford Health Services ("Bradford") and was successfully discharged on April 25, 2024 with the following Axis I diagnoses:
 - Phencyclidine Use Disorder, Severe;
 - Other Hallucinogen Use Disorder, Severe;
 - Opioid Use Disorder, Moderate, in sustained remission;
 - Cannabis Use Disorder, Mild;
 - Tobacco Use Disorder, Moderate;
 - Persistent Depressive Disorder;
 - Attention-Deficit/Hyperactivity Disorder, predominantly inattentive presentation;
 - Post-traumatic Stress Disorder; and
 - Obstructive Sleep Apnea Hypopnea

Upon discharge, Bradford noted, in part, that the licensee had been on Adderall to manage ADHD symptoms and that the medication was discontinued during treatment; should issues with ADHD resurface, he should complete a full ADHD evaluation and if medications are indicated, they should be non-addictive.

20. On or about April 30, 2024, the licensee entered into an aftercare contract with the Foundation.

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(6) and (9), as illustrated by KRS 311.597(1)(a) and (c). 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 the 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 matter without an evidentiary hearing, the parties hereby ENTER INTO the following **AGREED ORDER:**

1. The license to practice medicine in the Commonwealth of Kentucky held by CHRIS A. ETHRIDGE, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, 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 OF RESTRICTION/LIMITATION until further order of the Board:
 - a. The licensee SHALL maintain a contractual relationship with the Kentucky Physicians Health Foundation and SHALL fully comply with all requirements of that contractual relationship until further written order of the Board;
 - b. 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 SHALL ensure that any such medical treatment and prescribing is reported directly to the Board in writing by his treating physician within ten

(10) days after the date of treatment. The licensee SHALL 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 Agreed Order;

- c. 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 SHALL be paid by the licensee, and the licensee SHALL 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 Agreed Order; and
 - d. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
3. The licensee expressly understands and agrees that, if this Agreed Order should ever be terminated in favor of a letter of agreement, the Board shall not consider a request to allow him to be relieved from a contractual relationship with the Kentucky Physicians Health Foundation before the expiration of at least ten (10) years from the date of this Agreed Order.
 4. 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.

5. 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), and may provide a legal basis for criminal prosecution.

SO AGREED on this 24th day of June, 2024.


FOR THE LICENSEE:


CHRIS A. ETHRIDGE, M. D.

COUNSEL FOR LICENSEE
(IF APPLICABLE)

FOR THE BOARD:


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


LEANNE K. DIAKOV
General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
Tel. (502) 764-2613