

AUG -5 2022

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2061

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY JOSHUA M. FARBER, M.D., LICENSE NO. 39051, 1250 PITTSFORD-VICTOR ROAD, SUITE 110, BUILDING 200, NEW YORK, NEW YORK 14534

AGREED ORDER

Come now the Kentucky Board of Medical Licensure ("the Board"), by and through its Inquiry Panel B, and Joshua M. Farber, M.D. ("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**:

STIPULATIONS OF FACT

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

1. At all relevant times, Joshua M. Farber, M.D. ("the licensee"), was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Diagnostic Radiology.
3. On or about February 15, 2022, the licensee filed an application to renew his Kentucky medical license and answered "no" to all questions, including question number 12 which asked:

Since you last registered, to your knowledge, have you become the subject of any criminal investigation or are any criminal charges pending against you?

4. On or about July 9, 2021, the licensee was charged in the Court of Common Pleas for the County of Chester in *Commonwealth of Pennsylvania vs Joshua*

- Michael Farber*, criminal action number CR-3898-2021 with one (1) count of Strangulation, one (1) count of Simple Assault, and one (1) count of Harassment.
5. On or about May 3, 2022, the licensee, through counsel, notified the Board, in writing, that the licensee's 2022 renewal application contained a mistake in response to Question #12. The licensee stated that he had hired a third-party to submit his application and it was an error to answer "no" to Question #12.
 6. On or about June 1, 2022, the licensee entered a guilty plea to one (1) original count of Harassment and one (1) amended count of Harassment. The licensee was sentenced to 90 days of probation on each count, to run consecutively, restitution in the amount of \$1,758.04, completion of an anger management course, and no contact with the victim. The licensee notified the Board of his guilty plea and conviction on June 21, 2022.

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(1), (4) and (12). 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 matter 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:**

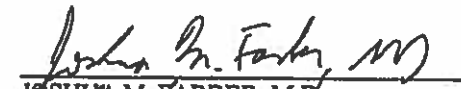
1. The license to practice medicine in the Commonwealth of Kentucky held by JOSHUA M. FARBER, M.D., is hereby PLACED ON PROBATION FOR A PERIOD OF FIVE (5) YEARS, with that period of probation to become effective immediately upon the filing of this Agreed Order;
2. During the effective period of this Agreed Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/LIMITATION until further order of the Board:
 - a. Within three (3) months of the filing of this Agreed Order, the licensee SHALL submit proof of his successful completion of an anger management course, as required by the Plea Agreement in Criminal Action No. 3898-2021;
 - b. Within three (3) months from the date of entry of this Agreed Order and pursuant to KRS 311.565(1)(v) the licensee SHALL submit payment of a FINE in the amount of one-thousand dollars (\$1,000) to the Board; and
 - c. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
3. The licensee understands and agrees that the Panel shall not consider a request by the licensee to modify or terminate this Agreed Order unless and until he has satisfied items 2(a)-(b) as listed above.

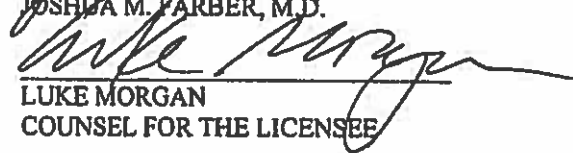
4. The licensee expressly agrees that if he should violate any term or condition of this Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive 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).

SO AGREED on this 8TH day of August, 2022.

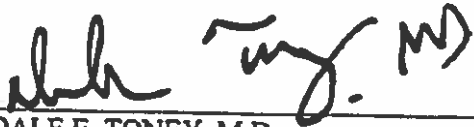
FOR THE LICENSEE:



JOSHUA M. FARBER, M.D.


LUKE MORGAN
COUNSEL FOR THE LICENSEE

FOR THE BOARD:



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



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