

FILED OF RECORD

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K.B.M.L

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 1784

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY THOMAS G. HUGHES, M.D., LICENSE NO. 34678, 209 WAKEFIELD TRACE, LOUISVILLE, KENTUCKY 40245

**AGREED ORDER OF RETIREMENT**

Come now the Kentucky Board of Medical Licensure (“the Board”), by and through its Inquiry Panel A, and THOMAS G. HUGHES, M.D. (“the licensee”), and, based upon the licensee’s request to retire, hereby enter into the following **AGREED ORDER OF RETIREMENT**:

**STIPULATIONS OF FACT**

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

1. At all relevant times, Thomas G. Hughes, M.D., 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 entered into a contractual relationship with the Kentucky Physicians Health Foundation (“the Foundation”) in March 2002. He was in full compliance with the requirements of that program, except for a series of three missed calls to the testing center in July 2005, for which he received a Letter of Admonishment from the Board.
4. On December 15, 2006, Burns M. Brady, the Foundation’s Medical Director, reported to the Board that on October 2, 2006, the licensee self-reported drinking three (3) beers on September 28, 2006. The treatment team initially determined to place him in a relapse tract as part of his treatment. However, he tested positive for alcohol on November 6, 19, and

- 22, 2006. When they addressed these results with the licensee, he acknowledged that he had continued to drink alcohol following his September relapse. The licensee was admitted to Metro Atlanta Recovery Residences (“MARR”) on December 11, 2006.
5. The licensee’s Axis I diagnoses when he entered into his contractual relationship with the Foundation included Ultram and Esgic Dependence and Alcohol Abuse.
  6. The licensee successfully completed residential treatment at MARR during the period of December 11, 2006 and April 6, 2007. His Axis I diagnoses were Alcohol Dependence, Mood Disorder NOS vs Substance Induced Mood D/O, History of Sedative-Hypnotic Dependence, and History of Opioid Dependence. The licensee was medically clear and stable upon discharge – having been abstinent as documented with random urine screens for 115 days and fully exposed and informed as to the dynamics and principles for recovery from chemical dependency. The facility made several specific recommendations to the Foundation.
  7. The licensee entered into an Agreed Order of Indefinite Restriction in KBML Case Number 1094 on March 26, 2007, which precluded the licensee from practicing medicine until further order of the Panel and until he had the advocacy of the Foundation.
  8. By letter dated April 11, 2007, Dr. Brady fully supported the licensee’s return to the active practice of medicine.
  9. The licensee was permitted to resume the active practice of medicine pursuant to terms and conditions contained in an Amended Agreed Order of Indefinite Restriction, filed of record on June 18, 2007. The terms and conditions required practice location approval and compliance with his Foundation contract.

10. The licensee was granted practice location approval under terms and conditions contained in a Second Amended Agreed Order of Indefinite Restriction, filed of record on October 26, 2007.
11. On May 21, 2009, Panel A granted the licensee's request to terminate the Second Amended Agreed Order of Indefinite Restriction in favor of a Confidential Letter of Agreement for three (3) years, filed on June 9, 2009.
12. On February 16, 2012, Panel A granted the licensee's request to terminate the Confidential Letter of Agreement, effective February 22, 2012.
13. On or about May 16, 2016, the Board received a letter from Joshua Honaker, M.D., System Vice President of Norton Medical Group, informing the Board that the licensee's medical assistant reported that the licensee had been taking her Tramadol pain pills without her permission from her purse. The letter stated that an investigation revealed that the licensee had pain pills he received from an elderly patient in his desk. The letter stated that Norton Healthcare terminated the licensee's employment and recommended he self-report to the Foundation.
14. The licensee responded in writing on or about May 26, 2016. The licensee admitted to taking some of his medical assistant's Tramadol tablets without her knowledge. The licensee denied having a patient's pain medication in his desk. The licensee stated that he had been unable to continue his AA meetings and recovery work due to overwhelming work requirements.
15. On or about June 1, 2016, the licensee entered an Interim Agreed Order of Treatment.

16. The licensee entered into residential treatment at MARR on or about June 22, 2016 and was discharged on October 12, 2016 with the following Axis I diagnoses: Alcohol Use D/O; Cannabis Use D/O; Opioid Use D/O; Depressive D/O NOS.
17. During his treatment at MARR, the licensee stated that he relapsed as soon as he was no longer being monitored. He stated that he began "playing around with some pills" and began drinking again.
18. Upon discharge, MARR endorsed the licensee's return to practice once under contract with the Foundation and approved by them to return to work. MARR also recommended that due to the licensee's history of relapse, his contract with the Foundation should extend to ten (10) years or a lifetime.
19. On or about October 13, 2016, the licensee entered into a five-year contract with the Foundation.
20. On or about January 30, 2017, Will W. Ward, M.D., Interim Medical Director of the Foundation, supported the licensee's return to the active practice of medicine.
21. The licensee entered into an Agreed Order that was filed of record on March 7, 2017.
22. The licensee was granted approval to practice medicine at Nair Internal Medicine in Louisville, Kentucky subject to the terms and conditions in an Amended Agreed Order filed of record on May 18, 2017.
23. The Panel approved the licensee's request to reinstate prescribing of controlled substances, as well as approved an additional practice location, pursuant to terms and conditions set forth in a Second Amended Agreed Order filed of record on February 28, 2018.

24. The Panel Chair approved the licensee's request to practice medicine through Encore Telemedicine/Locum Tenens USA, subject to the terms and conditions outlined in a Third Amended Agreed Order filed of record on May 31, 2019.
25. On November 1, 2019, the Panel Chair approved the licensee's request to practice medicine at Fairview Community Health Center in Bowling Green, Kentucky, subject to the terms and conditions outlined in a Fourth Amended Agreed Order filed of record on November 7, 2019.
26. On or about June 1, 2024, the licensee requested that he be placed under an agreed order of retirement because he is moving to Chicago and does not plan to work as a physician.
27. On or about June 12, 2024, Dr. Tina F. Simpson, the Foundation's Medical Director, notified the Board that the licensee has not worked as a physician since July of 2023 and has no plans to return to the practice of medicine. The Foundation supports his request to terminate his Fourth Amended Agreed Order in favor of an Agreed Order of Retirement. However, should the licensee decide in the future to reinstate his Kentucky license, the Foundation requests that he be directed to meet with its office prior to consideration of his reinstatement application.

#### STIPULATED CONCLUSIONS OF LAW

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

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), (7), (9) and (21). Accordingly, there are legal grounds for the parties to enter into this Agreed Order of Retirement.
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 Retirement.

### **AGREED ORDER OF RETIREMENT**

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and based upon the licensee's request to retire, the parties hereby enter into the following **AGREED ORDER OF RETIREMENT**:

1. In accordance with the licensee's stated intent, the license to practice medicine within the Commonwealth of Kentucky held by Thomas G. Hughes, M.D., is **RETIRED**, effective immediately upon the date of filing of this Agreed Order of Retirement and continuing for an indefinite period;
2. Beginning immediately and continuing throughout the indefinite period of this Agreed Order of Retirement, the licensee is indefinitely restricted from performing any act, within the Commonwealth of Kentucky, which constitutes the "practice of medicine or osteopathy" as that term is defined by KRS 311.550(10) – the diagnosis, treatment, or correction or any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities;
3. The licensee **SHALL NOT** petition the Board to resume practice or to reinstate his license to practice medicine in the Commonwealth of Kentucky, prior to the expiration of two (2) years from entry of this Agreed Order of Retirement and in accordance with KRS 311.604 and .607. The licensee understands that the decision of whether to allow him to resume practice or to reinstate his license to again practice medicine in the Commonwealth of Kentucky lies within the sole discretion of the Panel;
  - a. Prior to petitioning for reinstatement of a license to practice medicine, the licensee **SHALL** complete, at his expense, a Board-approved clinical skills assessment program at either LifeGuard, 400 Winding Creek Boulevard, Mechanicsburg, Pennsylvania, 17050, Tel. (717) 909-2590 or Center for Personalized Education for Professionals ("CPEP"), 720 South Colorado Boulevard, Suite 1100-N, Denver Colorado 80246, Tel. (303) 577-3232, (and obtain an education plan, if recommended), and he **SHALL** satisfy to the Panel that he is of good moral

character and both physically and mentally competent to resume the practice of medicine without undue risk or danger to patients or the public;


- b. Prior to petitioning for reinstatement of a license to practice medicine, the licensee SHALL obtain an evaluation by the Foundation and complete the treatment recommended by the evaluation, if any; and
  - c. Any petition for reinstatement of his license to practice medicine shall include a statement of the licensee's specific practice plans, including location, hours, duties and scope of practice.
4. The licensee expressly agrees that if he should violate any term or condition of this Agreed Order of Retirement, 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 Retirement, 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 Retirement 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 Retirement; and
5. The licensee understands and agrees that any violation of the terms of this Agreed Order of Retirement would provide a legal basis for additional disciplinary action, pursuant to KRS 311.595(13), and may provide a legal basis for criminal prosecution.

SO AGREED on this 15<sup>th</sup> day of August, 2024.

  
THOMAS G. HUGHES, M.D.

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COUNSEL FOR DR. HUGHES  
(IF APPLICABLE)

FOR THE BOARD:

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



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NICOLE A. KING

Assistant General Counsel

Kentucky Board of Medical Licensure

310 Whittington Parkway, Suite 1B

Louisville, Kentucky 40222

(502) 429-7150