

APR - 1 2024

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. D2401

K.B.M.L.

IN RE: THE APPLICATION TO PRACTICE OSTEOPATHY IN THE COMMONWEALTH OF KENTUCKY FILED BY BARBARA JURIGA, D.O., 1620 NORTH WACCAMAW DRIVE, APARTMENT 312, MURRELLS INLET, SOUTH CAROLINA 29576

**ORDER DENYING APPLICATION FOR LICENSURE**

At its March 21, 2024 meeting, the Kentucky Board of Medical Licensure (“the Board”) took up the *Application for Medical/Osteopathic License* in the Commonwealth of Kentucky filed by Barbara Juriga, D.O. (“the applicant”). In addition to the application, the Board reviewed the following pertinent information: applicant’s letter of explanation, undated; Federation Credentials Verifications Service Report, dated July 6, 2023; Complaint, *Christman, et al. v. Juriga, et al.*, Case No. GD-11-018933, Court of Common Pleas of Allegheny County, Pennsylvania, dated September 29, 2011; Liability Letter from Gismondi & Associates, P.C. to Richard Kidwell, Esq. regarding Tracey Lacey, dated August 8, 2019; correspondence from insurance company regarding Tracey Lacey, with attachments, undated; and Full and Final Release in pre-suit case involving Tracey Lacey, dated March 20, 2020.

The applicant was given notice of the Board’s March 21, 2024 meeting. She did not appear.

Having considered all the information presented and being sufficiently advised, the Board makes the following Findings of Fact and Conclusions of Law and denies the Application for a Kentucky Medical/Osteopathic License filed by Barbara Juriga, M.D.

**FINDINGS OF FACTS**

1. On or about March 8, 2023, Barbara Juriga, D.O. submitted an application for a license to practice osteopathy in the Commonwealth of Kentucky.
2. The applicant answered “Yes” to Question 14, Category 1 of the application, which asked,

In the past ten (10) years have you had to pay a settlement or judgment in a malpractice action or other civil action against your medical practice, or are there any malpractice or other civil actions against your medical practice presently pending in any court?

3. On or about October 20, 2011, a Complaint was filed in the Court of Common Pleas of Allegheny County, Pennsylvania (*Christman, et al. v. Juriga, et al.*, Case No. GD-11-018933). The complaint alleged that the patient presented with an abnormal nuclear stress scan result which was a sign of a possible obstruction to the right coronary artery. The patient underwent a cardiac catheterization on or around September 21, 2009. The complaint alleged that the stent placed during the catheterization was undersized and underdeployed. Per the complaint, the negligent performance of the cardiac catheterization, the unnecessary placement of a stent, and the use of an undersized and underdeployed stent resulted in a collection of blood around the stent that formed a clot, resulting in a heart attack and heart damage.
4. In her undated letter of explanation accompanying her application to the Board, the applicant summarized the medical malpractice case filed October 20, 2011 as follows:

In 2009, Chrisman came into the hospital with chest pain and I did an evaluation and stress test, nuclear scan, he was unstable, he had a stent put in and given instruction prior to his discharge. He wanted to go hunting and he didn't take any of his medications with him and a week later he still didn't take anything and he clotted his stents. He was brought to another hospital and they opened his stents. He claimed that I did not put the stent in correctly. My practice settled the case because the whole practice got sued. The case was settled in 2013 for \$500,000.

5. Pursuant to a report received by the Board, the medical malpractice case filed October 20, 2011 settled for \$1,600,000.00 with a total of \$1,000,000.00 paid on the applicant's behalf. Specifically, on or about May 9, 2013, the primary insurer paid \$500,000.00 on behalf of the applicant. On or about December 31, 2013, a secondary payor for the applicant paid \$500,000.00 on her behalf.

6. On or about August 8, 2019, counsel for patient Tracey Lacey sent UPMC a letter explaining his client's liability argument against the applicant and other potential defendants. The patient had undergone a cardiac catheterization and stent by the applicant, and one of the coronary arteries became perforated. As a result, the patient developed persistent hypotension, arrested, and ultimately died. The patient's counsel stated in sum,

[W]hile we can make the argument there was a breach in causing the perforation, the more significant breach was the failure to appreciate and correct the pericardial effusion that developed from that perforation. As stated above, our expert says that certain action should have been taken to treat the perforation while the patient was still in the cath lab, but failing that, there were still four hours while she was in the ICU before she arrested when corrective action (i.e. bedside pericardiocentesis) would have prevented the cardiac arrest.

7. In her undated letter of explanation accompanying her application to the Board, the applicant summarized the 2019 case as follows:

In 2019 Lacey - She had a heart attack - she was well into it when she came in. She was nearly dead, she was in full cardiac arrest and she had a heart attack through the procedure. I stented her artery and did the procedure. There was a complication, the patient sued me for delay in treatment. The patient had cue waves when she already came in. They settled this case. UPMC settled the case. This case was settled in 2020 for \$500,000.

When Board staff requested further explanation regarding settlement payment amounts, the applicant did not provide any additional information and instead directed staff to contact UPMC.

8. The 2019 case was settled out of court with \$1,750,000.00 paid on the applicant's behalf. Pursuant to a report, and confirmed by UPMC, UPMC decided to handle the potential lawsuit through mediation held on or about February 13, 2020. On or about April 8, 2020, the primary insurer paid \$500,000.00 on behalf of the applicant. On or about December 31, 2020, the secondary payor paid another \$500,000.00 on her behalf. Lastly, UPMC's excess carrier paid \$750,000.00 on her behalf for a total of \$1,750,000.00 paid on behalf of the applicant.

CONCLUSIONS OF LAW

1. By submitting an application for a medical license to the Board, the applicant's medical 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. KRS 311.595(1) provides that the Board may deny an application for a license based upon proof that the licensee "knowingly made or presented, or caused to be made or presented, any false, fraudulent, or forged statement, writing, certificate, diploma, or other thing, in connection with an application for a license or permit."
4. Based upon the Findings of Fact, the applicant engaged in conduct which violates the provisions of KRS 311.595(1). Accordingly, there are legal grounds for the Board to deny licensure to the applicant.

ORDER DENYING APPLICATION FOR LICENSURE

After due deliberation, the Board hereby ORDERS that the *Application for Medical/Osteopathic License* in the Commonwealth of Kentucky filed by Barbara Juriga, D.O., is hereby DENIED.

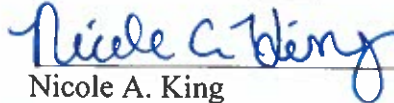
SO ORDERED this 1<sup>st</sup> day of April, 2024.



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

Certificate of Service

I certify that the original of this Order Denying Application for Licensure was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222, and a copy was mailed via certified mail return-receipt requested to the applicant, Barbara Juriga, D.O., 1620 North Waccamaw Drive, Apartment 312, Murrells Inlet, South Carolina 29576, on this 1<sup>st</sup> day of April, 2024.



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EFFECTIVE DATE AND APPEAL RIGHTS

This Order Denying Application for Licensure is effective upon filing.

Pursuant to KRS 311.571(7), KRS 311.593(2), and KRS 13B.140, the applicant may obtain judicial review of this Order by filing a Petition for Judicial Review in Jefferson Circuit Court within thirty (30) days after this Order is mailed or delivered by personal service, as noted above. Copies of the petition shall be served by the applicant upon the Board and its General Counsel or Assistant General Counsel. The Petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested, along with a copy of this Order.