

DEC 19 2022

K.B.M.L.

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. AT-4

IN RE: THE LICENSE TO PRACTICE AS AN ATHLETIC TRAINER IN THE COMMONWEALTH OF KENTUCKY HELD BY MATTHEW DITTRICH PIKOWSKI, ATC, LICENSE NO. AT2064, 2125 SOUTH FLOYD STREET, LOUISVILLE, KENTUCKY 40208

**AGREED ORDER**

Come now the Kentucky Board of Medical Licensure (“the Board”) and Matthew D. Pikowski, ATC, (“the licensee”), and, based upon their mutual desire to grant the applicant/licensee a license to practice as an athletic trainer in the Commonwealth of Kentucky, 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, Matthew D. Pikowski, ATC, (“the licensee”) was an applicant for a license to practice as an athletic trainer within the Commonwealth of Kentucky.
2. On or about June 8, 2021, in Orange County, North Carolina, the licensee entered a plea of guilty to a charge of impaired driving, a level 5 misdemeanor pursuant to the laws of the State of North Carolina.
3. On or about May 4, 2022, the licensee entered into a Consent Order with the North Carolina Board of Athletic Trainer Examiners, pursuant to which he was reprimanded and his license was placed on probation for a period three (3) years.
4. On or about July 26, 2022, the licensee was evaluated by the Kentucky Physicians Health Foundation (“KPHF”). The licensee submitted to testing and the results

were appropriate and consistent with the interview. KPHF opined that there was no evidence of a substance or mental health issue and did not recommend further evaluation, treatment or monitoring.

#### STIPULATED CONCLUSIONS OF LAW

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

1. By submitting an Application for Athletic Trainer Licensure to the Board, the licensee is subject to regulation and discipline by the Board.
2. KRS 311.909 provides that the Board may deny licensure to an applicant upon a finding that the applicant has violated any provision of KRS 311.909.
3. Based upon the Stipulations of Fact, there are grounds to deny the applicant a license pursuant to the provisions of KRS 311.909(1)(c). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.
4. Pursuant to KRS 311.591(6) and 201 KAR 9:082, and in lieu of denial of application, the parties enter into an informal resolution such as this Agreed Order.

#### AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and as an express condition of the Board approving the applicant's Application for Athletic Trainer License in the Commonwealth of Kentucky, the parties hereby enter into the following **AGREED ORDER**:

1. The license to practice as an athletic trainer in the Commonwealth of Kentucky held by Matthew D. Pikowski, ATC, is hereby **PLACED ON PROBATION FOR A**

PERIOD OF THREE (3) 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 license to practice as an athletic trainer SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- a. The licensee SHALL comply with all terms/conditions of his Consent Order with the North Carolina Board of Athletic Trainer Examiners; and
- b. The licensee SHALL NOT violate any provision of KRS 311.900, *et seq.*

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 311.911 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 311.911 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, pursuant to KRS 311.909(1)(n), and may provide a legal basis for criminal prosecution.

SO AGREED on this 19<sup>th</sup> day of December, 2022.


FOR THE LICENSEE:

  
MATTHEW D. PIKOWSKI, ATC

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COUNSEL FOR THE APPLICANT  
(IF APPLICABLE)

FOR THE BOARD:

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

  
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