

NOV 20 2023

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2135

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY WILLIAM J. SHORT, M.D., LICENSE NO. 29564,
2340 CARTER AVENUE, ASHLAND, KENTUCKY 41101

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter “the Board”), acting by and through its Inquiry Panel B, and William J. Short, M.D., (hereafter “the licensee”), and, based upon their mutual desire to resolve the pending investigation, the parties 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, William J. Short, M.D. was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee’s medical specialty is Family Medicine.
3. On or about October 27, 2017, the licensee entered into an Agreed Order, Case No. 1822, pursuant to which he stipulated to the following facts:

- According to the Board investigator’s interview of Chief Greg Fugitt of the Louisa Police Department, on December 25, 2016, the licensee’s family reported that the licensee left the Paintsville area in his vehicle intoxicated. Officer Hunter James located the licensee’s vehicle and after observing erratic driving, activated his emergency equipment. The licensee refused to pull over, and led Officer James on a pursuit for over twelve miles and into Boyd County. Once in Boyd County, the licensee drove faster, reaching speeds of up to 106 MPH. After crossing over I-64 at 106 MPH, the licensee lost control of his vehicle and crossed over into the oncoming lane, almost hitting a van head on, and crashed into an embankment.

- According to an interview with Deputy Brett Ritchie of Boyd County Sheriff's Department, when officers approached the licensee's vehicle with their weapons drawn and ordered him to exit the vehicle, the licensee refused to unlock the doors. Deputy Ritchie stated he broke the window and pulled the licensee from the vehicle. The licensee was then arrested on multiple charges and taken to Boyd County Detention Center where he was administered a breath test which read 0.258.
- On January 13, 2017, the licensee was indicted by the Lawrence County Grand Jury in case number 17-CR-00012 on one count of Fleeing and Evading Police in the First Degree, Wanton Endangerment in the First Degree, Operating a Motor Vehicle Under the Influence of Alcohol/Drugs (First Offense Within Five Years) and Reckless Driving.
- In January 2017, the licensee met with Will Ward, M.D., Interim Medical Director for the Kentucky Physician's Health Foundation ("the Foundation"). Dr. Ward interviewed the licensee and referred him for a 96-hour inpatient evaluation at a facility experienced in the treatment of healthcare professionals.
- The licensee entered residential treatment at Metro Atlanta Recovery Residences ("MARR") on February 9, 2017 and was successfully discharged on August 30, 2017 with an Axis I diagnosis of Alcohol Use Disorder.
- On or about April 13, 2017, the licensee entered into an Interim Agreed Order of Treatment.
- On August 30, 2017, the licensee entered into an aftercare contract with the Foundation.
- On September 8, 2017, the licensee was indicted by a Boyd County Grand Jury in case number 17-CR-00335 on one count of Speeding 26 MPH Over the Speed Limit, seven counts of Wanton Endangerment First Degree, one count of Fleeing or Evading Police First Degree, and Operating a Motor Vehicle under the Influence of Alcohol/Drugs Over .08 First Offense (Aggravating Circumstances).
- On or about September 22, 2017, the licensee pled guilty in Lawrence Circuit Court case number 17-CR-00012 to the amended charges of Fleeing and Evading Police in the Second Degree and Wanton Endangerment in the Second Degree, and to the original charge of Driving Under the Influence. The charge of Reckless Driving was dismissed. On the same day, the licensee was sentenced to a term of twelve (12) months probated for two (2) years.

4. At its October 20, 2022 meeting, the Board, through its Inquiry Panel A, granted the licensee's request and terminated the October 27, 2017 Agreed Order, effective October 21, 2022.
5. In May 2023, the Board received information that the licensee was arrested for several violations, including leaving the scene of an accident, fleeing or evading police, operating a motor vehicle under the influence of alcohol, criminal mischief, resisting arrest and wanton endangerment.
6. An Ashland Department citation details the facts of the incident involving the licensee as the police found them on or about May 13, 2023. The licensee was involved in an accident at a local restaurant, left the scene when police were called, returned to the area and was pulled over by the police. When they instructed him to exit the vehicle, he refused and put his vehicle into drive and fled from officers into oncoming traffic. They pursued him to his office where there was a struggle and damage was done to a police cruiser. He refused a breathalyzer and was lodged in the Boyd County Detention Center.
7. Pursuant to Tina F. Simpson, M.D., Medical Director, Kentucky Physicians Health Foundation (the "Foundation"), the licensee contacted the Foundation for an appointment the day following his arrest.
8. On or about May 23, 2023, the licensee met with Dr. Simpson. Based on the information he shared over the course of the meeting, she directed him to immediately cease clinical practice until such time as he had successfully completed residential treatment at a facility experienced in the treatment and evaluation of licensed healthcare professionals.

9. On or about May 30, 2023, the licensee was admitted into the residential treatment at Pavillon where he was diagnosed with Alcohol Use Disorder, Severe, Cannabis use disorder, moderate and persistent depressive disorder (dysthymia).
10. On or about August 19, 2023, the licensee successfully completed his treatment experience at Pavillon. His Pavillon discharge summary does not endorse his return to practice until he completes six (6) months of sober living and is under a monitoring contract with KPHF.
11. On or about August 21, 2023, the licensee was admitted to Beacon House in Louisville, a sober living facility.
12. On August 22, 2023, the licensee entered into an aftercare and monitoring contract with the Foundation. The components are as follows:
 - a. Successful completion of the Sober Transitional Living Program at Beacon House, prior to obtaining the Foundation's approval to return to clinical practice;
 - b. Documented attendance at no less than 12 recovery meetings per month;
 - c. Ongoing relationship with a 12-Step sponsor;
 - d. Participation in a healthcare professionals aftercare group;
 - e. Medication management with an addiction psychiatrist; and
 - f. Random, observed drug screens and alcohol determination results.
13. On or around September 6, 2023, the licensee pled guilty to Leaving Scene of Accident; Fleeing/Evading, 2nd Degree; Operating a Motor Vehicle Under the Influence; Criminal Mischief, 3rd Degree; Wanton Endangerment, 2nd Degree; in *Commonwealth v. Short*, Case No. 23-F00152 (Boyd District Court).
14. The licensee agreed to enter into this Agreed Order, in lieu of the issuance of a Complaint and Emergency Order of Suspension.

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(4) and (6). 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 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 the pending investigation, the parties hereby ENTER INTO the following AGREED ORDER:

1. The license to practice medicine within the Commonwealth of Kentucky held by William J. Short, 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 medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
 - a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine," as that term is defined in KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities - unless and until approved to do so by the Panel or its Chair;

- b. The licensee shall not request and the Panel or it's Chair shall not consider a request to resume the practice of medicine unless and until the licensee has successfully completed six (6) months of sober living and has obtained the advocacy of the Foundation;
 - c. Within twenty (20) days of the entry of this Agreed Order, the licensee shall enter into a contractual relationship with the Kentucky Physicians Health Foundation which shall expire no sooner than 10 years from August 22, 2023 and shall fully comply with all requirements of that contractual relationship;
 - i. 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;
 - ii. 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;
 - d. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
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 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this 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.

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, including revocation, pursuant to KRS 311.595(13).

SO AGREED on this 20th day of November, 2023.

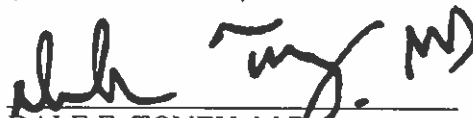
FOR THE LICENSEE:



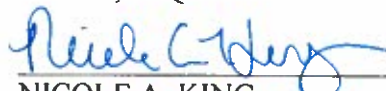
WILLIAM J. SHORT, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



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