

APR 20 2023

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2087

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY EYAD ALSABBAGH, M.D., LICENSE NO. 38254,
12148 CORTEZ BOULEVARD, BROOKSVILLE, FLORIDA 34613

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter “the Board”), acting by and through its Hearing Panel A, and EYAD ALSABBAGH, M.D., (hereafter “the licensee”), and, based upon their mutual desire to resolve this pending case, 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, Eyad Alsabbagh, M.D. (“the licensee”), was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee’s medical specialty is Pain Management.
3. The licensee is also licensed by the Florida Board of Medicine (“Florida Board”).
4. On or about April 26, 2021, Florida’s Department of Health filed an Administrative Complaint before the Florida Board against the licensee for violating Florida statutes based upon inappropriate documentation and administration of low-THC cannabis.
5. On or about July 6, 2022, the Florida Department of Health and the licensee entered into a Settlement Agreement regarding the medical license held by the licensee.
6. The Stipulated Disposition of the Settlement Agreement imposed the following conditions:

- a. **Fine** - The Florida Board shall impose an administrative fine of Four Thousand Dollars (\$4,000.00) against the licensee's license, to be paid by the licensee within three (3) years from the date of filing of the Final Order accepting the Settlement Agreement.
 - b. **Reimbursement of Costs** – The licensee agrees to pay the Florida Health Department for any costs incurred in the investigation and prosecution of the Florida case. The agreed upon amount of Department costs to be paid in this case is: thirteen thousand sixty-two dollars and twenty-eight cents (\$13,062.28).
 - c. **Laws, Rules, and Ethics Course** – The licensee shall document completion of five (5) hours of Continuing Medical Education (CME) in a Florida Board approved laws, rules, and ethics course within one (1) year from the date the Final Order is filed.
 - d. **Records Course** – The licensee shall document completion of a Florida Board-approved CME records keeping course within one (1) year of the date of filing of the Final Order.
 - e. **Medical Marijuana Course** – The licensee shall document completion of a Florida Board-approved CME medical marijuana course within one (1) year from the date the Final Order is filed.
7. On or about October 18, 2022, the Florida Board considered the terms of the Settlement Agreement and entered its Final Order regarding the medical license held by the licensee. It approved an Amended Settlement Agreement which incorporated the following clarifications:
- a. For the continuing medical education required in paragraph 4 of the Stipulated Disposition, the approved Medical Records Course shall be three (3) hours and must be completed within one (1) year from the date the Final Order is filed.
 - b. For the continuing medical education required in paragraph 5 of the Stipulated Disposition, the approved Medical Marijuana Course shall be two (2) hours and must be within one (1) year from the date the Final Order is filed.
 - c. The costs set forth in Paragraph 2 of the Stipulated Disposition shall be set at \$13,062.28.
8. The Board received notice of the Florida Board action via a report from the Federation of State Medical Boards. The licensee did not report the action taken by

the Florida Board within ten days of the October 18, 2022 Final Order as required by 201 KAR 9:081(9)(2)(a)(2). Further, the licensee did not provide this Board a copy of the order issued by the Florida Board within ten days of the October 18, 2022 Final Order.

9. On or about February 17, 2023, the Board issued a Complaint based upon the above facts.
10. The licensee now agrees to enter into this Agreed Order to resolve this pending case.

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(12) and (17). 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 to resolve this pending case 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 case, the parties hereby ENTER INTO the following **AGREED ORDER**:

1. During the effective period of this Agreed Order, the licensee's medical license

SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- a. Pursuant to KRS 311.565(1)(v), the licensee SHALL submit payment of a FINE in the amount of \$1,000.00, within three (3) months of the filing of this Order; and
- b. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.

2. Upon verification of full payment of the fine in the amount of \$1,000.00, the Board agrees to terminate this Agreed Order.

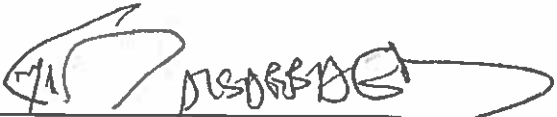
3. The licensee expressly agrees that if he should violate any term or condition of this Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125.

The parties further agree that if the Board should receive information that he has violated any term or condition of this 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.

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 April, 2023.


FOR THE LICENSEE:




EYAD ALSABBAGH, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



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



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