

FILED OF RECORD

MAR 22 2023

K.B.M.L.

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 2098

IN RE: THE APPLICATION TO PRACTICE MEDICINE IN THE COMMONWEALTH  
OF KENTUCKY FILED BY ROBERT A. BAREFOOT, JR., M.D., LICENSE  
NO. 51905, 1211 OLD MAIN STREET, HARTFORD, KENTUCKY 42347

**AGREED ORDER OF FINE**

Come now the Kentucky Board of Medical Licensure (“the Board”) and Robert A. Barefoot, Jr., M.D., (“the applicant”), and, based upon their mutual desire to fully and finally address the applicant’s non-disclosure on his application, hereby ENTER INTO the following **AGREED ORDER OF FINE**:

**STIPULATIONS OF FACT**

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

1. At all relevant times, Robert A. Barefoot, Jr. (“the applicant”), M.D. was an applicant for a medical license within the Commonwealth of Kentucky.
2. The applicant’s medical specialty is Family Medicine.
3. On or about October 10, 2022, the applicant submitted an application for a license to practice medicine in the Commonwealth of Kentucky.
4. The applicant answered “no” to Question 14, Category I 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?”

5. On or about September 20, 2015, a \$425,000 settlement was paid on behalf of the applicant based upon a claim that the applicant delayed and/or failed to refer a patient for treatment. The patient, a prisoner at a local prison, presented to the Emergency Department with complaints of pain in his neck and numbness in his hands and leg weakness with an inability to stand or walk. The applicant ordered a cervical spine CT which was significant for a teardrop deformity. The applicant treated the patient with IV antibiotics and fluids, and he was discharged back to prison. The malpractice claim alleged that the applicant's failure/delay in referral or consultation and delay in diagnosis, resulted in significant permanent injury.
6. The applicant was given notice of the Board meeting on March 16, 2023. The applicant did not appear. The Board voted to grant the applicant's application, contingent upon the applicant entering into this Agreed Order of Fine.

#### STIPULATED CONCLUSIONS OF LAW

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

1. By submitting his application for medical license to the Board, the licensee'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. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(1). 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, the parties may fully and finally resolve this pending matter by entering into an informal resolution such as this Agreed Order of Fine.

**AGREED ORDER OF FINE**

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, as an express condition of the Board approving Dr. Robert A. Barefoot Jr.'s Application for License to Practice Medicine in the Commonwealth of Kentucky, the parties hereby ENTER INTO the following **AGREED ORDER OF FINE**:

1. The applicant is hereby FINED One Thousand Dollars (\$1,000.00).
2. Upon verified payment of the above fine, the applicant will be issued a Kentucky Medical License.

SO AGREED on this 20<sup>th</sup> day of March, 2023.

FOR THE APPLICANT:


  
ROBERT A. BAREFOOT, JR., M.D.

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COUNSEL FOR THE APPLICANT  
(IF APPLICABLE)

FOR THE BOARD:



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

  
\_\_\_\_\_  
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