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COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2072

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY REZA A. KHODAVERDIAN, M.D., LICENSE NO. 54647, 71935 HIGHWAY 111, RANCHO MIRAGE, CALIFORNIA 92260

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter “the Board”), acting by and through its Inquiry Panel A, and REZA A. KHODAVERDIAN, M.D., (hereafter “the licensee”), and, based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, 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, Reza A. Khodaverdian, M.D. (“the licensee”), was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee’s medical specialty is Thoracic Surgery.
3. The licensee is also licensed by the Medical Board of California (“California Board”).
4. On or about August 11, 2022, the California Board issued a Decision and Order regarding the medical license held by the licensee, which went into effect on September 9, 2022.
5. The California Board found that the licensee violated California Statutes in the following manner:

Between May 1, and May 2, 2018, the licensee was consulted as the thoracic surgeon for Patient 1 who had presented to the hospital with a spontaneously collapsed right lung. The licensee departed from the standard of care in his treatment of Patient 1 when he failed to replace a pigtail catheter (that had been inadvertently removed) to address and prevent possible recurrence of the previously demonstrated tension pneumothorax, by ensuring continued evacuation of the air within her chest until surgery. In addition, when converting the thoracoscopic surgery to an open thoracotomy, the licensee's failure to make a new incision at the top of the chest near the area of adhesions and bleeding constituted a departure from the standard of care.

6. The California Decision and Order imposed the following conditions:
 - a. The licensee is reprimanded.
 - b. The licensee shall complete not less than sixty (60) hours of Category I Continuing Medical Education.
 - c. The licensee shall pay costs in the amount of \$825 within sixty (60) days of the effective date of the Decision and Order.
7. The Board received notice of the California Board action via a report from the Federation of State Medical Boards on August 23, 2022. The licensee did not report the disciplinary action taken by the California Board within ten days of the August 11, 2022 Decision and 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 California Board within ten days of the August 11, 2022 Decision and Order.
8. In response to the Board's inquiry, the licensee stated that the California Board sent the Decision and Order to both him and his counsel at outdated addresses and that he was unaware the Decision and Order had been approved until he received a request from the Board for a response.

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 resolve this pending investigation 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 this pending investigation without an evidentiary hearing, 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) and 201 KAR 9:081 Section 9(2)(a)(2), the licensee SHALL submit payment of a FINE in the amount of \$1000.00, within six (6) 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 \$1000.00, 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 9th day of November, 2022.

FOR THE LICENSEE:


REZA A. KHODAVERDIAN, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



WILLIAM C. THORNBURY, JR., M.D.
ACTING CHAIR, INQUIRY PANEL A



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