

JUN 24 2024

K.B.M.L.

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 2165

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY YOGESH PATEL, M.D., LICENSE NO. 53054, 1600 PRAIRIE CENTER PARKWAY, BRIGHTON, COLORADO 80601

**AGREED ORDER OF SURRENDER**

Come now the Kentucky Board of Medical Licensure ("the Board"), acting by and through its Inquiry Panel A, and Yogesh Patel, M.D., ("the licensee"), and, based upon their mutual desire to fully and finally resolve the pending investigation without an evidentiary hearing, hereby ENTER INTO the following **AGREED ORDER OF SURRENDER**:

**STIPULATIONS OF FACT**

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

1. At all relevant times, Yogesh Patel, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is interventional cardiology.
3. On or about January 5, 2024, the licensee submitted a 2024 Application for Renewal of Kentucky Medical/Osteopathic License, in which he responded "No" to Question No. 12 which asked "[s]ince you last registered, to your knowledge, have you become the subject of any criminal investigation or are any criminal charges pending against you?"
4. In addition, the licensee answered "Yes" to Question No. 10 which asked "[d]o you have plans to practice medicine in Kentucky during the year?"

5. On or about February 2, 2024, the licensee's Illinois Physician and Surgeon License was temporarily suspended based upon the Illinois Department of Financial and Professional Regulation's Petition for Temporary Suspension alleging that

[I]n November 2023, [the licensee] was arrested and charged with multiple crimes arising out of [the licensee's] solicitation of an undercover officer, Jane Doe/a.k.a. Cassie, who was claimed to be fourteen (14) years old whereby [the licensee] allegedly engaged in conduct constituting a substantial step toward the commission of sexual assault on a child, knowing that said child was 14 years old by arranging the meeting with Jane Doe/a.k.a. Cassie for the purpose of prostitution by a child.

6. On or about May 2, 2024, the Illinois State Medical Board entered a Consent Order in which (1) the licensee neither admitted nor denied the allegations but acknowledged that if the matter were to proceed to a hearing, the Illinois State Medical Board could find multiple violations of the Illinois Medical Practice Act and (2) the licensee permanently surrendered his Illinois Physician and Surgeon License.
7. The licensee neither reported nor provided a copy of his Illinois Consent Order to this Board within ten days as required by 201 KAR 9:081.
8. On or about June 20, 2024, the licensee appeared before and was heard by the Board's Inquiry Panel.
9. On or about June 20, 2024, the Board offered the licensee an opportunity to surrender his license pursuant to this Agreed Order of Surrender, in lieu of 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 of Surrender:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. The licensee neither admits nor denies allegations of criminal conduct but admits that, based upon the above stipulated facts, he has engaged in conduct which violates the provisions of KRS 311.595(9), (12) and (17). Accordingly, there are legal grounds for the parties to enter into this Agreed Order of Surrender.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve the pending investigation without an evidentiary hearing by entering into an informal resolution such as this Agreed Order of Surrender.

**AGREED ORDER OF SURRENDER**

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 OF SURRENDER:**

1. The licensee, Yogesh Patel, M.D., hereby SURRENDERS his Kentucky medical license indefinitely and permanently, effective immediately upon the filing of this Agreed Order of Surrender;
  - a. From the date of filing of this Agreed Order of Surrender forward, the licensee SHALL never 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 - within the Commonwealth of Kentucky;
  - b. The licensee understands and agrees that any violation of the terms of this Agreed Order of Surrender may provide a legal basis for additional disciplinary action and a legal basis for criminal prosecution for practicing medicine without a license. If the Board should receive information that, after the date of filing of this Agreed Order of Surrender, the licensee has performed an act which would constitute the

“practice of medicine” within the Commonwealth of Kentucky, it will aggressively pursue the criminal prosecution of the licensee for such acts, to the full extent of the law; and

- c. As an express condition for the entry of this Agreed Order of Surrender, each party understands and agrees that neither Panel of the Board will ever consider any petition for reinstatement of license, any motion or request for modification or change of the terms of this agreed order or special request for consideration for relief filed by the licensee. This Agreed Order of Surrender is expressly designed to serve as the complete and final termination of the legal relationship between this Board and this licensee. It is further understood and agreed by the licensee that any communication by the licensee and/or his agents to the Board attempting to revive that legal relationship will be returned to him or his agent without being provided or forwarded to any Board member.
2. The licensee expressly agrees that a violation of any term or condition of this Agreed Order of Surrender by him shall 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 of Surrender, 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 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 of Surrender.

3. The licensee understands and agrees that any violation of the terms of this Agreed Order of Surrender may provide a legal basis for additional disciplinary action or criminal prosecution.

SO AGREED on this 24<sup>th</sup> day of June, 2024.


FOR THE LICENSEE:

  
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YOGESH PATEL, M.D.

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COUNSEL FOR THE LICENSEE  
(IF APPLICABLE)

FOR THE BOARD:

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

  
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LEANNE K. DIAKOV  
General Counsel  
Kentucky Board of Medical Licensure  
310 Whittington Parkway, Suite 1B  
Louisville, Kentucky 40222  
Tel. (502) 429-7150