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COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2125

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY DANIEL B. RAY, M.D., LICENSE NO. 26443, 7560 BLAKE STREET, APT. 413, LIBERTY TOWNSHIP, OHIO 45069

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (“the Board”), acting by and through its Inquiry Panel A, and Daniel B. Ray, M.D., (“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, Daniel B. Ray, M.D. (“the licensee”), was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee’s medical specialty is Emergency Medicine.
3. The licensee is also licensed by the State Medical Board of Ohio (“the Ohio Board”).
4. On or about April 3, 2023, the licensee entered into a Consent Agreement with the Ohio Board, in lieu of formal proceedings based upon the licensee’s violation of Section 4731.22(8)(20) of the Ohio Revised Code.
5. In the Consent Agreement, the licensee stipulated:

Dr. Ray admits that from in or around January 2018 through at least in or around June 2022, he provided medical care and treatment for a co-worker. Dr. Ray further admits that the care and treatment included prescribing medications, including both controlled and non-controlled substances. Dr. Ray also admits that he failed to access and/or

document accessing the Ohio Automated Rx Reporting System [OARRS] prior to prescribing controlled substances to the co-worker/patient. Additionally, Dr. Ray admits that he failed to keep a record of the care and treatment he provided to the co-worker.

6. Pursuant to the Consent Agreement, the licensee's license to practice in Ohio was reprimanded, placed on probation, required to complete courses regarding the prescribing of controlled substances and maintaining adequate and appropriate medical records and required to submit written reports describing the courses taken and explaining what he learned and how he will apply the information to his practice.
7. The licensee neither reported nor provided a copy of his Consent Agreement with the Ohio Board to this Board within ten days as required by 201 KAR 9:081.

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:**

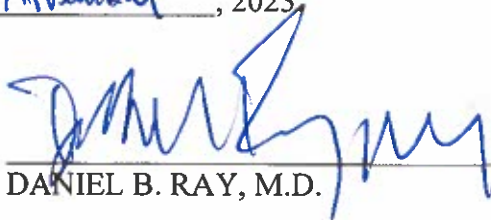
1. The license to practice medicine held by Daniel B. Ray, M.D., is hereby PLACED ON PROBATION FOR A PERIOD OF UP TO FIVE (5) YEARS, with that period of probation beginning immediately upon the filing of this Agreed Order.
2. During the effective period of this Agreed Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS until further order of the Board:
 - a. Within one (1) year of the effective date of this Agreed Order and pursuant to KRS 311.565(1)(v), the licensee SHALL submit payment of a FINE in the amount of \$1,000.00;
 - b. Within one (1) year of the effective date of this Agreed Order, the licensee SHALL provide documentation of his successful completion of a course(s) dealing with the prescribing of controlled substances and SHALL submit to the Board a copy of his written report describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice in the future, as required by his Consent Agreement with the Ohio Board;
 - c. Within one (1) year of the effective date of this Agreed Order, the licensee SHALL provide documentation of his successful completion of a course(s) dealing with maintaining adequate and appropriate medical records and SHALL submit to the Board a copy of his written report describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice in the future, as required by his Consent Agreement with the Ohio Board; and
 - d. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
3. The licensee may request termination of this Agreed Order prior to the expiration of five (5) years upon completion of the terms and conditions set forth in ¶2 above.
4. 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.

5. 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 1 day of November, 2023.

FOR THE LICENSEE:


DANIEL B. RAY, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:


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



LEANNE K. DIAKOV

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