

FILED OF RECORD

NOV 30 2018

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 1886

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY JOHN A. SCHREMPLY, M.D., LICENSE NO. 13355, 140 DAMAR ROAD, LEXINGTON, KENTUCKY 40515

**AGREED ORDER OF RETIREMENT**

Come now the Kentucky Board of Medical Licensure ("the Board"), by and through its Inquiry Panel B and John A. Schremly, 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 OF RETIREMENT**:

**STIPULATIONS OF FACT**

1. At all relevant times, John A. Schremly, M.D. ("the licensee"), was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is psychiatry.
3. On or about May 7, 2018, the Board received a grievance from Dr. Virginia Barbosa alleging cognitive decline by the licensee.
4. During an interview with a Board investigator, the licensee's daughter stated that the licensee had recently been diagnosed with Normal Pressure Hydrocephalus and that he would not be recovering.
5. On or about June 20, 2018, the licensee responded in writing to the Board. The licensee stated that his health began to decline months ago and that he has recently learned that he would not be recovering from his condition. The licensee stated that he will no longer be able to practice medicine.

6. On or about November 15, 2018, the Board's Inquiry Panel B chose to allow the licensee to retire his license pursuant to this Agreed Order of Retirement.

#### STIPULATED CONCLUSIONS OF LAW

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

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(8). Accordingly, there are legal grounds for the parties to enter into this Agreed Order of Retirement.
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 of Retirement.

#### AGREED ORDER OF RETIREMENT

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and based upon the parties' mutual desire to fully and finally address this pending investigation without an evidentiary hearing, the parties hereby enter into the following **AGREED ORDER OF RETIREMENT**:

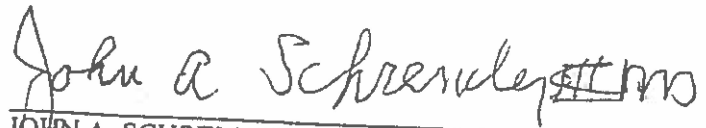
1. In accordance with the licensee's stated intent and in lieu of revocation, the license to practice medicine within the Commonwealth of Kentucky held by John A. Schremly, M.D., is **RETIRED**, effective immediately upon the date of filing of this Agreed Order of Retirement and continuing for an indefinite period;
2. Beginning immediately and continuing throughout the indefinite period of this Agreed Order of Retirement, the licensee **SHALL NOT** perform any act, within the Commonwealth of Kentucky, which constitutes the "practice of medicine or osteopathy" as that term is defined by KRS 311.550(10) – the diagnosis, treatment, or

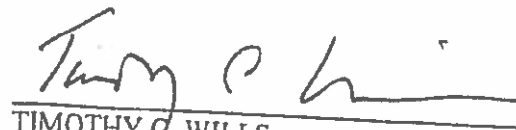
correction or any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities:

3. The licensee 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 Retirement is expressly designed to serve as the complete and final termination of the legal relationship between this Board and this licensee. Any communication by the licensee and/or his agents to the Board attempting to revive that legal relationship will be returned without being provided or forwarded to any Board member.
4. The licensee expressly agrees that if he should violate any term or condition of this Agreed Order of Retirement, 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 of Retirement, 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 of Retirement 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 Retirement; and
5. The licensee understands and agrees that any violation of the terms of this Agreed Order of Retirement would provide a legal basis for additional disciplinary action, pursuant to KRS 311.595(13).

SO AGREED on this 29<sup>th</sup> day of November, 2018.

FOR THE LICENSEE:

  
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JOHN A. SCHREMLY, M.D.

  
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TIMOTHY C. WILLIS  
COUNSEL FOR THE LICENSEE

FOR THE BOARD:



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SANDRA R. SHUFFETT, M.D.  
CHAIR, INQUIRY PANEL B



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