

AUG - 1 2019

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 1928

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY JASON N. STAMPER, M.D., LICENSE NO. 02798, 35 FLORA STREET, PIKEVILLE, KENTUCKY 41501

**AGREED ORDER**

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel B, and JASON N. STAMPER, D.O., (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, Jason N. Stamper, D.O., was licensed by the Board to practice osteopathy within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Psychiatry.
3. On or about May 2, 2019, the Board received a grievance filed by the mother of Patient A. The grievance states that Patient A is a permanently disabled adult who receives treatment from the licensee. The grievance alleges that Patient A disclosed to his mother after his last appointment with the licensee that the licensee showed him nude pictures of young men he has had sex with or with whom he wants to have sex.

4. During an interview with a Board investigator, Patient A stated that the licensee was talking about relationships and began talking about his personal relationships. Patient A stated the licensee then showed him several nude photos of men on his phone and stated that they were men he had had sex with or with whom he wants to have sex. Patient A stated that the licensee has never touched him in any way nor has he insinuated any type of sexual relationship between them.
5. During an interview with the mother of Patient A, she stated that following the visit with the licensee, Patient A showed signs of anxiety and never wanted to go to the doctor again.
6. In a written response to the Board dated May 29, 2019, the licensee stated, in part:

I first saw this patient July 22, 2016. During his last visit on April 18, 2019, I asked him how he was doing, including how his mood had been, how his medications were, whether he was sleeping at night, and whether he was seeing anyone. The latter because he has expressed this as a concern in most sessions. At that time, he showed me some pictures from a social media site and I showed him some pictures from another social media site. If there were any nude pictures, it was unintentional. He then asked if I would date him and I advised that because he was a patient, I could not.
7. In his written response, the licensee denied sharing personal details of relationships with any patient.
8. On July 18, 2019, the Board's Inquiry Panel B reviewed the investigation. The Panel and the licensee agreed to enter into this Agreed Order, in lieu of the 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:

1. The licensee's Kentucky osteopathic 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(9). 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 osteopathy in the Commonwealth of Kentucky held by JASON N. STAMPER, D.O., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Order;
2. During the effective period of this Agreed Order, the licensee's Kentucky osteopathic license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION/LIMITATION until further order of the Board:
  - a. Within twenty (20) days of the filing of this Agreed Order, the licensee shall contact the Acumen Institute, 730 New Hampshire, Suite 222, Lawrence, Kansas, 66044; Tel: (785) 856-0473, Fax: (785) 841-8781, to

schedule an evaluation/assessment for the earliest dates available to both Acumen Institute and the licensee;

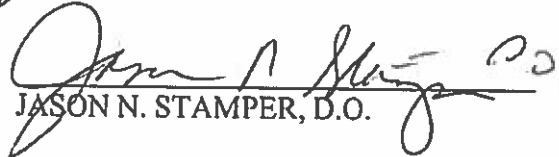
- b. Both parties may provide relevant information to Acumen Institute for consideration as part of the evaluation/assessment. In order to permit the Board to provide such relevant information, the licensee shall immediately notify the Board's Legal Department of the assessment dates once the assessment is scheduled;
  - c. The licensee shall travel to Acumen Institute and complete the evaluation/assessment as scheduled, at his expense;
  - d. The licensee shall complete any necessary waiver/release so that the Board may receive directly from the Acumen Institute a copy of any and all evaluation/assessment reports for review. Copies of reports sent to the Board via the licensee's counsel shall not be accepted;
  - e. The licensee SHALL implement and comply with any and all therapeutic and/or treatment recommendations of Acumen Institute based upon the evaluation/assessment;
    - i. If Acumen Institute recommends that the licensee be supervised or chaperoned to any extent or in any setting related to his practice of osteopathy, the licensee SHALL immediately enter into an Amended Agreed Order with terms and conditions consistent with those recommendations and any other terms deemed appropriate by the Panel or Panel Chair based upon information available at that time. The licensee's failure to enter into said Amended Agreed Order within ten (10) days of the Board's request shall constitute a violation of this Agreed Order and shall constitute grounds for an emergency order against his license;
  - f. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
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 31<sup>st</sup> day of July 2019, 2019.

FOR THE LICENSEE:

  
JASON N. STAMPER, D.O.

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COUNSEL FOR THE LICENSEE  
(IF APPLICABLE)

FOR THE BOARD:

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

*Sara Farmer*

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SARA FARMER

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