

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 1951

FILED OF RECORD

DEC - 9 2019

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY CHARLES R. NOPLIS, M.D., LICENSE NO., 44044, 9702 STONESTREET ROAD, SUITE 120, LOUISVILLE, KENTUCKY 40272

**AGREED ORDER**

Come now the Kentucky Board of Medical Licensure (“the Board”), by and through its Inquiry Panel B, and Charles R. Noplis, 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, Charles R. Noplis, M.D. was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee’s medical specialty is Psychiatry.
3. The medical license held by the licensee is subject to an Order of Probation, filed of record on March 25, 2019, in KBML Case Number 1752.
4. On or about December 10, 2018, the licensee was charged with one (1) count of Domestic Battery (Moderate Bodily Injury), a felony, and Battery (Bodily Waste), a misdemeanor, in Cause Number 15D01-1812-F6-455, in Dearborn County, Indiana for actions against his then-wife.

5. On or about April 2, 2019, the licensee pled guilty to an amended charge of Battery Resulting in Bodily Injury, a misdemeanor, and received a sentence of 365 days suspended for 363 days. The charge of Battery by Bodily Waste was dismissed.
6. On or about August 12-13, 2019, the licensee was seen at the Vanderbilt Comprehensive Assessment Program (“VCAP”) for a fitness-for-duty evaluation.
7. The Evaluation Report stated the following:

Dr. Noplis’ pattern of behavior, including two formal adjudications for assault, coupled with the results of testing and his self-report, raise concerns about his level of control over his anger and hostility. Although he stated his anger has improved with the assistance of a mindful parenting coach, he continues to state he does not shy away from conflict, is afraid of his own strength, and often does not recognize the need to de-escalate situations. These issues need to be addressed immediately, especially considering reports of an alleged physical altercation with a patient in 2016.

...

Based upon this evaluation, and with a reasonable degree of medical certainty, Dr. Charles Noplis is fit to practice if he enters a contract for monitoring, support and advocacy with the Kentucky Physician Health Program for a period of at least two years.

8. The Evaluation Report made recommendations for the licensee, which are adopted into the terms and conditions in this Agreed Order.
9. On November 21, 2019, the Board’s Inquiry Panel B reviewed the investigation and the licensee, with counsel, appeared before and was heard by the Panel before it deliberated.

#### 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(4). 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 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**:

1. The license to practice medicine in the Commonwealth of Kentucky held by CHARLES R. NOPLIS, M.D., is hereby PLACED ON PROBATION FOR A PERIOD OF FIVE (5) YEARS.
2. During the effective period of this Order, the licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
  - a. The licensee SHALL NOT perform any act which would constitute the "practice of medicine or osteopathy," 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 – unless and until the Panel or its Chair has approved, in writing, the practice location at which he will practice medicine.
    - i. The decision whether to approve a particular practice location lies in the sole discretion of the Panel or its Chair. In determining whether to approve a particular practice location, the Panel or its Chair will particularly consider whether there will be appropriate supervision of the licensee, and may also consider the nature of the practice, including the licensee's proposed duties and hours to be worked. In approving such practice location, the Panel or its Chair may include specific conditions/restrictions to ensure patient safety.

- ii. Once approved, the licensee shall not change practice locations without first obtaining written approval by the Panel or its Chair for such change. The parties agree that the Panel or its Chair may require additional conditions and/or restrictions as a condition of it granting approval for a new practice location.
  - b. Within six (6) months of the date of filing of this Agreed Order, the licensee SHALL successfully complete the "Course for Distressed Physicians" offered by The Center for Professional Health at Vanderbilt University Health Center, Nashville, TN, (615) 936-0678, at his expense;
  - c. The licensee SHALL continue psychotherapy and coaching with a licensed treatment provider, and that provider SHALL provide written quarterly reports directly to the Board outlining the licensee's progress. The licensee SHALL inform the treatment provider of this responsibility and ensure timely compliance.
  - d. Within thirty (30) days of the date of filing of this Agreed Order, the licensee SHALL enter into a contractual relationship with the Kentucky Physicians Health Foundation for a period of five (5) years and SHALL fully comply with all requirements of that contractual relationship;
  - e. The licensee SHALL completely abstain from the consumption of mood-altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. The licensee SHALL ensure that any such medical treatment and prescribing is reported directly to the Board in writing by his treating physician within ten (10) days after the date of treatment. The licensee SHALL inform the treating physician of this responsibility and ensure timely compliance. The licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Agreed Order;
  - f. The licensee SHALL be subject to periodic, unannounced breathalyzer, blood and urine alcohol and/or drug analysis as desired by the Board, and under the conditions specified by the Board's testing agent, the purpose being to ensure that the licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports SHALL be paid by the licensee, and the licensee SHALL pay those costs under the terms fixed by the Board's agent for testing. The licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Agreed Order; and
  - g. 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 the 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

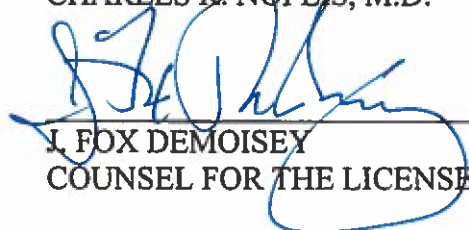
if the Board should receive information that he has violated any term or condition of this Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation 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 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; and

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 9<sup>th</sup> day of December, 2019.


FOR THE LICENSEE:

  
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CHARLES R. NOPLIS, M.D.

  
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J. FOX DEMOISEY  
COUNSEL FOR THE LICENSEE

FOR THE BOARD:

  
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RICHARD WHITEHOUSE, ESQ.  
CHAIR, INQUIRY PANEL B

  
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SARA FARMER  
Assistant General Counsel

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