

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 1868

FILED OF RECORD

JUN 25 2018

K.B.M.L.

IN RE: THE APPLICATION TO PRACTICE MEDICINE IN THE COMMONWEALTH  
OF KENTUCKY FILED BY ALI FAROOQUI, M.D., LICENSE NO.  
51657, 401 EAST CHESTNUT STREET, SUITE 600, LOUISVILLE,  
KENTUCKY 40202

**AGREED ORDER**

Come now the Kentucky Board of Medical Licensure (“the Board”) and Ali Farooqui, M.D. (“the applicant/licensee”), and, based upon their mutual desire to grant the applicant/licensee a license to practice medicine in the Commonwealth of Kentucky, subject to conditions set forth herein, 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, Ali Farooqui, M.D., was an applicant/licensee for a medical license within the Commonwealth of Kentucky.
2. The applicant/licensee’s medical specialty is psychiatry.
3. On or about March 1, 2013, in Missouri, the applicant/licensee was found in possession of cocaine and heroin, both controlled substances, and charged with two (2) Class C felony counts of Possession of Controlled Substance Except 35 grams or less of marijuana. The applicant/licensee entered a guilty plea to both counts on or about September 28, 2015. The imposition of sentence was suspended and he was placed in five (5) years supervised probation.

4. Between July 1, 2010 and May 31, 2013, the applicant/licensee was a neurological surgery resident at the University of Missouri. After he received a temporary suspension from clinical activities by the University of Missouri Health System, he took a leave of absence on or about March 31, 2013 and eventually resigned from the program on or about May 31, 2013. He has not been engaged in the practice of medicine since that time.
5. In or around October 2013, the applicant/licensee completed treatment for an Axis I diagnosis of opioid dependence and entered into a monitoring contract with the Missouri Physicians Health Program.
6. The applicant/licensee has maintained documented sobriety since August 6, 2013.
7. On or about August 19, 2014, the applicant/licensee was charged with one felony count of Felonious Restraint and one misdemeanor charge of Domestic Assault, 2<sup>nd</sup> Degree. On or about September 28, 2015, the felony charge was dismissed and the applicant/licensee entered a guilty plea to an amended misdemeanor charge of domestic Assault, 3<sup>rd</sup> degree. He was placed on two (2) years supervised probation.
8. On or about March 30, 2018, the applicant/licensee was discharged from supervised probation by the Missouri Board of Probation.
9. On June 21, 2018, the Board considered the applicant/licensee's Application for Medical/Osteopathic License in the Commonwealth of Kentucky and chose to grant the applicant/licensee a license to practice medicine in the Commonwealth of Kentucky, contingent upon him entering into this Agreed Order and the terms/conditions stated herein.

### STIPULATED CONCLUSIONS OF LAW

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

1. By submitting an application for a license to practice medicine in the Commonwealth of Kentucky, the applicant/licensee is subject to regulation and discipline by the Board.
2. KRS 311.571 provides that the Board may deny licensure to an applicant/licensee without a prior evidentiary hearing upon a finding that the applicant/licensee has violated any provision of KRS 311.595 or 311.597 or is otherwise unfit to practice.
3. Based upon the Stipulations of Fact, the applicant/licensee engaged in conduct which violates the provisions of KRS 311.595(4), (6), (8) and (21). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.
4. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may enter into an informal resolution such as this Agreed Order.

### AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and as an express condition of the Board approving the applicant/licensee's Application for Medical/Osteopathic License in the Commonwealth of Kentucky, the parties hereby enter into the following **AGREED ORDER**:

1. The license to practice medicine in the Commonwealth of Kentucky held by Ali Farooqui, M.D., is RESTRICTED/LIMITED FOR AN INDEFINITE PERIOD OF TIME, effective immediately upon the filing of this Agreed Order.
2. During the effective period of this Agreed Order, the applicant/licensee's Kentucky medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND

CONDITIONS OF RESTRICTION/LIMITATION for an indefinite term, or until further order of the Board:

- a. Pursuant to 201 KAR 9:081, Section 9(2)(b), the applicant/licensee is hereby permanently banned from prescribing or dispensing controlled substances in the Commonwealth of Kentucky;
  - b. If he has not done so already, within twenty (20) days of the date of entry of this Agreed Order, the applicant/licensee SHALL enter into a contractual relationship with the Kentucky Physicians Health Foundation;
  - c. The applicant/licensee shall maintain his contractual relationship with the Kentucky Physicians Health Foundation and shall fully comply with all requirements of that contractual relationship;
  - d. The applicant/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 applicant/licensee must ensure that any such medical treatment and prescribing is reported directly to the Board in writing by my treating physician within ten (10) days after the date of treatment. The applicant/licensee must inform the treating physician of this responsibility and ensure timely compliance. The applicant/licensee's failure to inform the treating physician of this responsibility shall be considered a violation of this Agreed Order;
  - e. The applicant/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 applicant/licensee remain drug and/or alcohol-free. The cost of such breathalyzer, blood and urine alcohol and/or drug analyses and reports will be paid by the applicant/licensee, and the applicant/licensee will pay those costs under the terms fixed by the Board's agent for testing. The applicant/licensee's failure to fully reimburse the Board's agent within that time frame SHALL constitute a violation of this Agreed Order; and
  - f. The applicant/licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
3. The applicant/licensee expressly understands and agrees that, pursuant to 201 KAR 9:081 Section 9(2)(b)(3), the Board shall not consider a request to terminate or




modify term 2(a) above unless the criminal plea or conviction involved a Class D felony, the applicant/licensee has successfully completed a diversion program, the case has been dismissed and the record expunged and that such information is supported by evidence of a court order.

4. The applicant/licensee understands and agrees that if he should violate any term or condition of this Agreed Order, his 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, an Inquiry 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 applicant/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 applicant/licensee violated a term or condition of this Agreed Order.
5. The applicant/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), and may provide a legal basis for criminal prosecution.

SO AGREED on this 25<sup>th</sup> day of June, 2018.

FOR THE APPLICANT/LICENSEE:


  
ALI FAROOQUI, M.D.

  
L. CHAD ELDER  
COUNSEL FOR DR. FAROOQUI

FOR THE BOARD:

  
RUSSELL L. TRAVIS, M.D.

RUSSELL L. TRAVIS, M.D.  
PRESIDENT

  
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