

FILED OF RECORD

MAY 20 2019

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1907

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY HENRY D. BABENCO, M.D., LICENSE NO. 37712, P.O.
BOX 427, 88 CEDAR STREET, KUTTAWA, KENTUCKY 42055

COMPLAINT

Comes now the Complainant Sandra R. Shuffett, M.D., Chair of the Kentucky Board of Medical Licensure's Inquiry Panel B, and on behalf of the Panel which met on May 16, 2019, states for its Complaint against the licensee, Henry D. Babenco, M.D., as follows:

1. At all relevant times, Henry D. Babenco, M.D. ("the licensee"), was licensed by the Board to practice medicine in the Commonwealth of Kentucky.
2. The licensee's medical specialty is addiction psychiatry.
3. On or about April 16, 2019, the licensee was indicted on one (1) count of conspiracy to distribute and dispense controlled substances, in violation of 21 U.S.C. §§ 841(a)(1) and (a)(1)(C) and 846; seven (7) counts of distributing and dispensing Schedule II controlled substances (including morphine, oxycodone and oxymorphone) outside the usual course of professional practice and not for a legitimate medical purpose, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) and 18 U.S.C. § 2; and one (1) count of money laundering, in violation of 18 U.S.C. §§ 2 and 1957.
4. On or about April 22, 2019, an Emergency Order of Suspension was issued against the licensee's license to practice medicine
5. By his conduct, the licensee has violated KRS 311.595(9), as illustrated by KRS 311.597(4), and KRS 311.595(12). Accordingly, legal grounds exist for disciplinary action against his license to practice medicine in the Commonwealth of Kentucky.

6. The licensee is directed to respond to the allegations delineated in the Complaint within thirty (30) days of service thereof and is further given notice that:

(a) His failure to respond may be taken as an admission of the charges;

(b) He may appear alone or with counsel, may cross-examine all prosecution witnesses and offer evidence in his defense.

7. NOTICE IS HEREBY GIVEN that a hearing on this Complaint is scheduled for October 1, 2019, at 9:00 a.m., Eastern Standard Time, at the Kentucky Board of Medical Licensure, Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222. Said hearing shall be held pursuant to the Rules and Regulations of the Kentucky Board of Medical Licensure and pursuant to KRS Chapter 13B. This hearing shall proceed as scheduled and the hearing date shall only be modified by leave of the Hearing Officer upon a showing of good cause.

WHEREFORE, Complainant prays that appropriate disciplinary action be taken against the license to practice medicine in the Commonwealth of Kentucky held by Henry D. Babenco, M.D.

This 20th day of May, 2019.



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

CERTIFICATE OF SERVICE

I certify that the original of this Complaint was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222; a copy was mailed to Daphne Criscillis, Docket Clerk, Administrative Hearings Branch, Office of the Attorney General, 1024 Capital Center Drive, Frankfort, Kentucky

40601; and copies were mailed via certified mail return-receipt requested to the licensee, Henry D. Babenco, M.D., License No. 37712, P.O. Box 427, 88 Cedar Street, Kuttawa, Kentucky 42055 and at 6530 Clinton Road, Paducah, Kentucky 42001 on this 20th day of May, 2019.



Leanne K. Diakov
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