

FILED OF RECORD

JUN 18 2025

KB.M.L

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2192

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY STEPHEN M. PICKSTONE, M.D., LICENSE NO.
C2596, 4017 WILLIAMSBURG COURT, FAIRFAX, VIRGINIA 22032

AGREED ORDER OF REPRIMAND

Come now the Kentucky Board of Medical Licensure ("the Board"), acting by and through its Hearing Panel A, and Stephen M. Pickstone, M.D., ("the licensee"), and, based upon their mutual desire to fully and finally resolve the pending matter without an evidentiary hearing, hereby ENTER INTO the following **AGREED ORDER OF REPRIMAND**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this agreed order:

1. At all relevant times, Stephen M. Pickstone, M.D. ("the licensee"), was licensed by the Board to practice medicine in the Commonwealth of Kentucky.
2. The licensee's medical specialty is psychiatry.
3. KRS 218A.202 requires that any person authorized to prescribe or dispense controlled substances to humans within the Commonwealth of Kentucky shall register with KASPER, the Cabinet for Health and Family Services' electronic system for monitoring Schedules II, III, IV and V controlled substances, and shall maintain such registration continuously.
4. The licensee holds a valid DEA permit which authorizes him to prescribe, dispense or administer controlled substances in the Commonwealth of Kentucky.

5. On or about November 12, 2024, the Office of Inspector General for the Cabinet for Health and Family Services (“CHFS”) informed the Board that the licensee holds a valid Drug Enforcement Administration (“DEA”) permit to prescribe, dispense or administer controlled substances to humans within the Commonwealth of Kentucky, but is not registered to use the KASPER system as required by KRS 218A.202.
6. On or about December 4, 2024, the Board sent written notice, by certified mail return receipt requested, to the licensee’s self-designated mailing address informing the licensee that he is required to register to use the KASPER system and asking him to provide proof of registration by submission of a KASPER Account Verification Certificate to the Board within seven (7) days of receipt of the written notice. The written notice also informed the licensee that failure to do so may result in the issuance of an emergency order of restriction against his license.
7. On or about December 10, 2024, the written notice was delivered to the licensee’s self-designated mailing address of record.
8. Within seven (7) days of service of the written notice, the licensee did not register to use KASPER or otherwise provide proof of registration by submission of a KASPER Account Verification Certificate to the Board.
9. On or about January 3, 2025, the Board asked CHFS to confirm whether the licensee had registered to use KASPER system.
10. On or about February 11, 2025, CHFS informed the Board that the licensee holds a valid DEA permit to prescribe, dispense or administer controlled substances to humans within the Commonwealth of Kentucky, but is not registered to use the KASPER system as required by KRS 218A.202.
11. 201 KAR 9:230 §1 provides, in part,

- ...
- (2) Prescribing, dispensing or administering a controlled substance without a valid DEA permit or KASPER registration, as required by subsection (1) of this section, shall constitute a violation of KRS 311.595(9) and (12) or 311.850 that constitutes an immediate danger to the public health, safety or welfare, for the purposes of KRS 311.592, 311.852 and 13B.125.
- ...

12. 201 KAR 9:230 §2 provides, in part,

If a licensee prescribes, dispenses or administers a controlled substance within the Commonwealth of Kentucky during any period when the licensee is not registered with the cabinet to use the KASPER system, each instance of prescribing or dispensing or administering shall:

- (1) Constitute a separate violation; and
(2) Serve as the basis for disciplinary sanctions ...

13. On or about February 24, 2025, the Board received written verification from the CHFS that the licensee has registered and is able to use the KASPER system.

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(9) and (12). 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 matter without an evidentiary hearing by entering into an informal resolution such as this agreed order.

AGREED ORDER OF REPRIMAND

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 matter without an evidentiary hearing, the parties hereby ENTER INTO the following **AGREED ORDER OF REPRIMAND**.

The licensee is hereby REPRIMANDED for the conduct set forth in the stipulated facts.

5/16/2025
SO AGREED on this 18th day of June, 2025.
FOR THE LICENSEE:

Signed by:
Stephen Pickstone M.D.
33035900500465
STEPHEN M. PICKSTONE, M.D.

David Emerson (05/20/2025)
COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:

W. Saleem
WAQAR A. SALEEM, M.D.
CHAIR, HEARING PANEL A

Leanne K. Diakov
LEANNE K. DIAKOV
General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
(502) 429-7150

WAIVER OF RIGHTS

I, Stephen M. Pickstone, M.D., am presently the Respondent in Kentucky Board of Medical Licensure Case No. 2192. I understand that, under 201 KAR 9:082, I must waive certain rights if I wish to resolve this matter by informal dispensation. Accordingly, I WAIVE my right to raise any constitutional, statutory or common law objection(s) I may have to the Hearing Panel rejecting the proposed informal dispensation or to the curtailment of such a settlement by the Board's General Counsel or Assistant General Counsel.

Furthermore, if the Hearing Panel accepts the proposed agreed order as submitted, I WAIVE my right to demand an evidentiary hearing or to raise additional constitutional or statutory objections in this matter. However, if the Hearing Panel should reject the proposed agreed order, I understand that further proceedings will be conducted in accordance with KRS 311.530 *et seq.*, and I will have the right to raise any objections normally available in such proceedings.

5/16/2025

Executed this _____ day of _____, 2025.

Signed by:

Stephen Pickstone M.D.

STEPHEN M. PICKSTONE, M.D.
RESPONDENT

David Emerson (05/20/2025)
COUNSEL FOR THE RESPONDENT
(IF APPLICABLE)