

AUG 05 2009

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 1221

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF  
KENTUCKY HELD BY DONALD D. GOLD, M.D., LICENSE NO. 38412, 706  
E. WOOD STREET, PARIS, TN 38242

**AGREED ORDER**

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel B, and Donald D. Gold, 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, Donald D. Gold, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Psychiatry.
3. In 2005, the Board received a grievance that the licensee was providing opiate therapy to a patient who had been addicted to morphine and that he was romantically involved with a patient who was also one of his employees. Because the alleged conduct apparently occurred in Tennessee, rather than Kentucky, the Board referred the grievance to the Tennessee Board of Medical Examiners ("the Tennessee Board") for review and any appropriate action.
4. On March 18, 2008, the licensee entered into a Consent Order with the Tennessee Board. Under the terms of that Consent Order, the licensee's Tennessee medical

license was placed on probation for not less than 5 years and until he has completed all of the requirements of paragraphs 7 through 9 of the Consent Order.

5. The licensee has provided verification that he has partially completed paragraph 8 of the Tennessee Consent Order by successfully completing the "Prescribing Controlled Drugs" and the "Maintaining Proper Boundaries" courses at Vanderbilt University Center for Professional Health on December 3-5, 2008 and January 7-9, 2009, respectively.

#### 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 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(17). 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:**

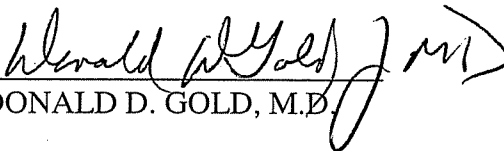
1. The license to practice medicine within the Commonwealth of Kentucky held by Donald D. Gold, M.D., SHALL BE SUBJECT to this Agreed Order for a period of five (5) years from the date of filing of the Agreed Order.
2. During the effective period of this Agreed Order, the licensee's medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
  - a. The licensee SHALL FULLY COMPLY with all terms and conditions of his Consent Order with the Tennessee Board of Medical Examiners in Case No. 200501863.
  - b. The licensee may only request early termination of this Agreed Order if his Consent Order with the Tennessee Board has terminated and his license is not under investigation or subject to any disciplinary charges/actions by this or any other medical licensing Board.
  - c. The licensee SHALL pay the costs of this proceeding, \$675.00, to the Board within six (6) months of the date of filing of this Agreed Order.
  - d. 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 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).

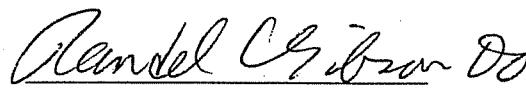
SO AGREED on this 5<sup>th</sup> day of August, 2009.

FOR THE LICENSEE:

  
DONALD D. GOLD, M.D.

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COUNSEL FOR THE LICENSEE  
(IF APPLICABLE)

FOR THE BOARD:

  
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RANDEL C. GIBSON, D.O.  
CHAIR, INQUIRY PANEL B

*C. Lloyd Vest II*

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C. LLOYD VEST II

General Counsel

Kentucky Board of Medical Licensure

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