

JAN 04 2010

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1243

IN RE: THE LICENSE TO PRACTICE OSETOPATHY IN THE COMMONWEALTH
OF KENTUCKY HELD BY FREDERICK A. WALKER, D.O., LICENSE NO.
02907, 4965 US HIGHWAY 42, #1000, LOUISVILLE, KY 40222

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel A, and Frederick A. Walker, D.O. ("the licensee"), and, based upon their mutual desire to fully and finally resolve this pending grievance 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, Frederick A. Walker, D.O., was licensed by the Board to practice osteopathy within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Psychiatry.
3. On September 30, 2009, the Board received an inquiry about the licensee's responsibility to provide a free copy of a patient's record. During the staff review of this call, it was discovered that the licensee had failed to renew his Kentucky osteopathic license for calendar year 2009. His license had expired on April 1, 2009. The licensee had failed to notify the Board of his change of address on June 1, 2008 and his final renewal notice was returned to the Board on April 3, 2009.

4. The Board's investigation revealed that the licensee had continued to practice osteopathy within the Commonwealth of Kentucky throughout 2009. When the licensee was advised of the expired status of his license, he immediately went to the Board's offices and completed the necessary paperwork and paid his licensing fee.

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 osteopathic 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(12), through his violation of KRS 311.560(1). 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 grievance 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 grievance without an evidentiary hearing, the parties hereby ENTER INTO the following


AGREED ORDER:

1. The licensee SHALL pay a fine of one thousand dollars (\$1,000.00) within six (6) months of the date of filing of this Agreed Order.
2. 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.
3. 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 28th day of December, 2009.

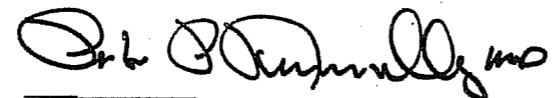
FOR THE LICENSEE:



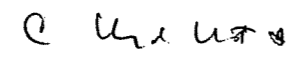
FREDERICK A. WALKER, D.O.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



PRESTON P. NUNNELLEY, M.D.
ACTING CHAIR, INQUIRY PANEL A



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