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FEB 22 2016

COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF PODIATRY  
AGENCY CASE NO. 2016-001

Kentucky Board of Podiatry

IN RE: DAWN MASTERNICK, D.P.M.  
(LICENSE NO.00322)

RESPONDENT

**AGREED ORDER**

The Kentucky State Board of Podiatry (hereinafter referenced herein as "Board") and the Respondent, Dawn Masternick, DPM (hereafter referenced herein as "Masternick", being fully advised and informed, state as follows:

- (1) Masternick is a licensed podiatrist in the Commonwealth of Kentucky, having been issued Podiatry License No. 00322.
- (2) Pursuant to Kentucky Revised Statutes, Chapter 311, the Board is authorized to regulate and to control all matters related to podiatrists and podiatry, not delegated to another agency of the Commonwealth of Kentucky, and this matter has not been delegated to another agency of the Commonwealth.
- (3) The Board alleges that Masternick failed to timely respond to Board correspondence regarding a malpractice claim notice from the Kentucky Department of Insurance violating KRS 311.480(6), KRS 311.420(6) and 201 KAR 25:051, Section 2.
- (4) Masternick admits the allegations of paragraph 3 of this agreed order.
- (5) Masternick and the Board agree to address this matter by entering into this agreed order in lieu of a formal hearing before the Board.
- (6) Following a review by the Board of the facts and circumstances associated with

the case against Masternick, IT IS HEREBY AGREED AND ORDERED:

(a) Masternick is FINED \$500 for each of two (2) violations for a total of \$1,000, payable by certified check made out to the Kentucky State Treasurer. The fine, along with the signed Agreed Order shall be delivered to the Board's office at Kentucky Board of Podiatry, P.O. Box 174, Glasgow, Kentucky 42142-0174 on or before February 15, 2016.

(7) Failure to comply with any term of this agreed order shall constitute a violation of a Board order and shall provide grounds to take disciplinary action against Masternick's license pursuant to KRS 311.480(10).

(8) By entering into this agreed order, Masternick expressly acknowledges that she was fully and completely informed of the due process rights afforded to her under KRS Chapters 13B and 311, that she fully understands those rights, and that she knowingly, voluntarily, and willingly agrees to waive those rights and to enter into this agreed order.

(9) The agreed order, when executed, shall be presented to the Board with a recommendation for approval from the Board's counsel. Masternick understands the Board is free to accept or reject this agreed order, and if rejected by the Board, a formal disciplinary hearing may be scheduled by the Board with proper Notice. Masternick agrees to waive any right she might have to challenge the impartiality of the Board to hear the case if, after review by the Board, this agreed order is rejected.

If the agreed order is not accepted by the Board, it shall be regarded as null and void. Any admissions made by Masternick shall not be regarded as evidence against her at any


subsequent disciplinary hearing. Masternick will be free to defend herself and no inferences against her will be made from her willingness to enter into this agreed order. The agreed order shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

(10) This agreed order is subject to disclosure under the Kentucky Open Records Act.

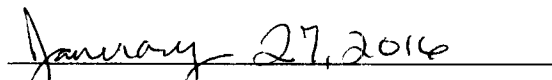
So ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

KENTUCKY STATE BOARD OF  
PODIATRY

\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
DAWN MASTERNICK, DPM

\_\_\_\_\_  
NICOLE SERGENT BIDDLE  
COUNSEL FOR THE BOARD

  
\_\_\_\_\_  
DATE SIGNED

\_\_\_\_\_  
DATE SIGNED

CERTIFICATE OF SERVICE

I hereby certify that a copy of the AGREED ORDER was mailed by regular mail, on this

10 day of February, 2016, to:

Dawn Masternick, DPM



Nicole Sergent Biddle  
Assistant Attorney General  
Capitol Building  
700 Capitol Avenue  
Frankfort, Kentucky 40601-3449

\_\_\_\_\_  
Beverley White, Executive Director