

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF PODIATRY
AGENCY CASE NO. 16-00

KENTUCKY STATE BOARD OF PODIATRY

CONSENT ORDER

Jerod Darnell, DPM
License No. 00335


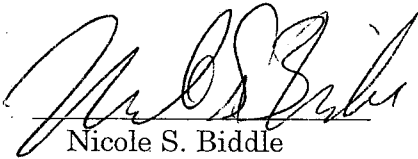
The Kentucky Board of Podiatry ("the Board"), and Jerod Darnell, DPM being fully informed and advised, recite as follows:

- (1) Jerod Darnell is a podiatrist licensed by the Board of Podiatry under KRS Chapter 311 with License Number 00335.
- (2) Pursuant to Kentucky Revised Statutes ("KRS") Chapter 311, the Board is authorized to regulate and to control all matters related to podiatry not delegated to another agency of the Commonwealth, and this matter has not been delegated to another agency of the Commonwealth.
- (3) Dr. Darnell failed to register with and utilize the Kentucky All-Schedule Prescription Electronic Reporting System (KASPER) as required by KRS 218A.202 until at least August 8, 2016. Failing to so register violated Kentucky Administrative Regulation 201 KAR 25:090, Section 5. (1) (b). Dr. Darnell admits he violated 201 KAR 25.090, Section 5. (1) (b) and agrees to the resolution of this matter by entering into this agreement.
- (4) Following a review by the Board of the facts and circumstances associated with this matter, IT IS HEREBY AGREED AND ORDERED:
 - (a) Dr. Darnell shall pay a fine of \$1,500.00 to the Board representing the minimum fine under Administrative Regulation 201 KAR 25:090 Section 5.(3) for an estimate of six prescriptions prescribed while Dr. Darnell was not registered for an account with KASPER.
 - (b) Dr. Darnell understands that he has a right to a hearing under KRS 311.490 (1) and KRS Chapter 13B.
- (5) By entering into this consent order, Dr. Darnell acknowledges that he was made fully and completely aware of the due process rights afforded to him under KRS Chapter 13B and that he fully understands those rights, that he knowingly and voluntarily agrees to waive those rights, and that he knowingly and voluntarily enters into this consent order.


(6) The Consent Order, when executed, shall be presented to the Board with a recommendation for approval from the Board's counsel at the next regularly scheduled meeting of the Board following receipt of the executed Consent Order. Dr. Darnell understands the Board is free to accept or reject this Consent Order, and if rejected by the Board, a formal disciplinary hearing may be scheduled by the Board with proper Notice. Dr. Darnell agrees to waive any right he might have to challenge the impartiality of the Board to hear the case if, after review by the Board, this Consent Order is rejected.

If the Consent Order is not accepted by the Board, it shall be regarded as null and void. Any admissions made by Dr. Darnell shall not be regarded as evidence against him at any subsequent disciplinary hearing. Dr. Darnell will be free to defend himself and no inferences against him will be made from his willingness to enter into this Consent Order. The Consent 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.

(7) This consent order is subject to disclosure under the Kentucky Open Records Act.

	<u>12/2/16</u>		<u>12/2/16</u>
Jerod Darnell, DPM	Date	Nicole S. Biddle Assistant Attorney General Attorney for the Board	Date

So ORDERED on the 2nd day of December, 2016.

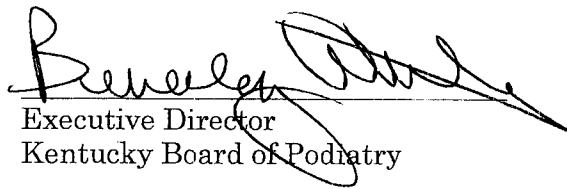

CHAIR
KENTUCKY BOARD OF PODIATRY

CERTIFICATE OF SERVICE

I hereby certify ~~that~~ ⁵ copies of the foregoing CONSENT ORDER were mailed by regular mail on this 5th day of December 2016, to:

Jerod, Darnell, DPM
1290 Montgomery Ave. Suite B
Ashland, KY 41101

Nicole S. Biddle
Assistant Attorney General
Capitol Building, Suite 118
700 Capitol Avenue
Frankfort, Kentucky 40601-3449



Executive Director
Kentucky Board of Podiatry