

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF PODIATRY
COMPLAINT 2022BOP00003
COMPLAINT 2022BOP00004

AMENDED AGREED ORDER

Comes now the Kentucky Board of Podiatry (hereafter "the Board") and Timothy Hanna, DPM, license number 244162 (hereafter "Licensee"), and hereby enter into the following Amended Agreed Order:

STIPULATIONS

1. The Board received Complaint 2022BOP00003 alleging, *inter alia*, Licensee's practice of podiatry under the influence of prescription medicine.
2. The Board received Complaint 2022BOP00004 alleging, *inter alia*, the Licensee's practice of podiatry under the influence of alcohol and prescription medicine.
3. Licensee avers he completed a ninety (90) day rehabilitation program ending March 9, 2022.
4. On or about March 10, 2022, Licensee registered with the Kentucky Professionals Recovery Network (hereafter "KYPRN"), 1501 Alexandria Pike, Fort Thomas, KY 41075, for a five (5) year monitoring period, and authorized KYPRN to send updates on its monitoring to the Board.
5. The Board is authorized under KRS 311.480 to take disciplinary action against licensees.
6. Licensee nevertheless desires to settle this matter in an expeditious manner without resorting to an Administrative Hearing.

7. Licensee has at all times relevant to this matter had the opportunity to seek advice from competent legal counsel of Licensee's choice. Licensee has not been coerced in any respect to enter into this Amended Agreed Order, nor have any promises been made other than those reflected in this Amended Agreed Order.
8. Licensee freely and voluntarily enters into this Amended Agreed Order for the purposes of resolution of the issues presented herein and has executed this Amended Agreed Order only after a careful reading and understanding of all of its terms.
9. Nothing in this Amended Agreed Order prohibits the Board from taking action on new information not previously disclosed to the Board by the Licensee or received by the Board from any other individual.

TERMS

10. Based on the foregoing Stipulations, the parties hereby agree to the following terms.
11. The Board has dismissed the Emergency Order of Suspension entered on August 12, 2022.
12. The Board has dismissed Complaint 2022BOP00003 and Complaint 2022BOP00004, subject to the terms of the original Agreed Order.
13. At this time, Licensee's monitoring agreement with the KYPRN shall continue for the term set by The Board. The length and/or scope of the monitoring agreement shall be further evaluated at the Board's December 8, 2023 meeting.
14. Any violations by the Licensee of the terms of the monitoring agreement with

KYPRN shall be grounds for further action by the Board, including but not limited to the reopening of Complaint 2022BOP00003 and Complaint 2022BOP00004 .

15. Any violation by the Licensee of the terms of this Amended Agreed Order shall be grounds for further action by the Board, including but not limited to the reopening of Complaint 2022BOP00003 and Complaint 2022BOP00004.
16. Licensee shall execute and return a copy of this Amended Agreed Order to the Board within thirty (30) days of receipt of the Amended Agreed Order or it shall be null and void, and the Board may institute further disciplinary action.

AUTHORITY TO BIND

17. All Parties and their undersigned representatives warrant and represent that they have the requisite power and authority to enter into this Amended Agreed Order and to effectuate the purposes herein, and that this Amended Agreed Order shall be legally binding and enforceable against each Party in accordance with terms of the Amended Agreed Order.

CHOICE OF LAW

18. This Amended Agreed Order shall be governed in all respects by the laws of the Commonwealth of Kentucky. Any disputes arising under this Amended Agreed Order shall be resolved in the Circuit Court of Franklin County, Kentucky; the Parties consent and agree to the *in personam* jurisdiction of such Court.

RELEASE OF LIABILITY

19. In consideration of execution of this Amended Agreed Order, the Licensee, together with any of Licensee's executors, administrators, agents, successors and assigns, do hereby release and forever discharge the Complainants, Commonwealth of Kentucky, the Board of Podiatry, the Department of Professional Licensing, and each of their members, agents, and employees in both their individual and representative capacities, of and from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which Licensee ever had, now has, may have or claim to have against any or all of the entities or persons named in this paragraph arising out of or by reason of this investigation, this Amended Agreed Order, or its administration.

ACCEPTANCE BY THE BOARD

20. Licensee acknowledges that after Licensee signs this Amended Agreed Order, the Amended Agreed Order shall be presented to the Board with a recommendation for approval from the Board's Counsel at the next meeting of the Board. The Amended Agreed Order shall not become effective until it has been approved by the Board and endorsed by the Board. Licensee understands the Board is under no obligation to accept or reject this Amended Agreed Order, and hereby waives any right Licensee may have had to challenge, based upon the presentation of this Amended Agreed Order to the Board, the impartiality of the Board to hear an administrative action if this Amended Agreed Order

is rejected. If this Amended Agreed Order is rejected by the Board, it shall be regarded as null and void, and of no effect. No statement or term contained in this Amended Agreed Order will be regarded as evidence in any subsequent disciplinary hearing, nor shall any inference be taken from Licensee's willingness to enter into this Amended Agreed Order.

OPEN RECORDS

21. Licensee acknowledges this Amended Agreed Order is subject to disclosure under the Kentucky Open Records Act and may be reportable under Federal law and may be shared with any professional organization or licensing board as the Board deems appropriate, in its discretion.

COMPLETE AGREEMENT

22. This Amended Agreed Order embodies the entire agreement between the Board and Licensee. It may not be altered, amended, or modified without the express written agreement of both parties. The effective date of this Amended Agreed Order shall be the date of its acceptance by the Board, as signified by the signature of Board Member, Matthew G. Enzweiler.

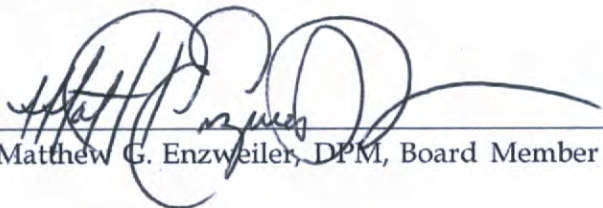
HAVE SEEN AND AGREED:

/s/ Timothy Hanna, DPM 4/3/23
Timothy Hanna, DPM Date
Licensee



Clayton Patrick 4-24-23
Board Counsel Date

SO ENTERED by Board Member, Matthew G. Enzweiler, DPM, as on this 24th
day of April, 2023



Matthew G. Enzweiler, DPM, Board Member