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President

KENTUCKY BOARD OF MEDICAL LICENSURE

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December 3, 2015

Paul A. Kearney, M.D.
License No. 25755
800 Rose Street, C224
Lexington, Kentucky 40536-0293

Re: **Letter of Concern**

Dear Dr. Kearney,

At its November 19, 2015 meeting, the Board's Inquiry Panel B considered a report from the National Practitioner Data Bank stating that your privileges at the University of Kentucky Hospital were suspended based upon evidence of a pattern of unprofessional behavior directed toward faculty, residents, staff and patients. In addition to the report, the Panel members reviewed a memorandum prepared by Kevin Payne, Medical Investigator, dated September 25, 2015; correspondence prepared by Clifton M. Iler, Associate General Counsel, University of Kentucky, dated April 21, 2015 (with attached records); articles in the Lexington *Herald-Leader* newspaper, "University of Kentucky trustees asked to revoke medical privileges of controversial surgeon", dated July 30, 2015; "Panel recommends revoking medical privileges of high-profile University of Kentucky surgeon", dated July 31, 2015; and "UK upholds revocation of doctor's privileges", dated August 25, 2015; Final Action of the University Health Care Committee, dated August 25, 2015; Hearing Panel Recommendation; correspondence prepared by Mr. Payne to you, dated August 31, 2015; and a response submitted by your counsel, Bernard Pafunda, dated September 16, 2015 (with attachments).

Having considered all of the information available and being sufficiently advised, the Panel found that there is insufficient evidence of a violation to warrant the issuance of a Complaint, but that there is evidence of a practice or activity that requires modification. The Panel members asked me to express their concern that this type of conduct is unbecoming to the medical profession and trust that it will not occur again.

Sincerely,

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

xc: Bernard Pafunda, Esq.