FILED OF RECORD

MAR 25 2026

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. D2402

IN RE: THE APPLICATION TO PRACTICE OSTEOPATHY IN THE COMMONWEALTH OF KENTUCKY FILED BY ANDREW EPSTEIN, D.O., 5886 E. PLACITA ALTA REPOSA, TUSCON, ARIZONA 85750

ORDER DENYING APPLICATION FOR LICENSURE

At its March 19, 2026 meeting, the Kentucky Board of Medical Licensure ("the Board") took up the *Application for Medical/Osteopathic License* in the Commonwealth of Kentucky filed by Andrew Epstein, D.O. ("the applicant"). In addition to the application, the Board reviewed the following information: the applicant's letter of explanation, dated February 28, 2024; PBI Education Certificate of Participation in PBI Medical Record Keeping, undated; Documentation of CME credits and attendance, dated January 19, 2023 through January 4, 2024; Letter from Lawerence A. Katz, counsel for the applicant, received March 25, 2024; Federation Credentials Verifications Service Report, dated April 24, 2023; Letter in Support from Steven Salzman D.O., dated January 22, 2024; North Carolina Medical Board Consent Order, dated January 4, 2024; the Board's Order Denying Application, filed June 24, 2024; the Jefferson Circuit Court's Order in *Epstein v. KBML*, Case No. 24-CI-5072 Reversing and Remanding, entered September 3, 2025; the applicant's letter, through counsel, with attachments, dated March 9, 2026; the applicant's letter, through counsel, with attachments, dated March 10, 2026; and the applicant's Addenda to Letter Compilation, through counsel, dated March 10, 2026.

The applicant was given notice of the Board's March 19, 2026 meeting. He appeared with counsel and was heard.

Having considered all the information presented and being sufficiently advised, the Board makes the following Findings of Fact and Conclusions of Law and denies the Application for a Kentucky Medical/Osteopathic License filed by Andrew Epstein, D.O.

FINDINGS OF FACTS

1. On or about June 6, 2023, Andrew Epstein, D.O., submitted an application for a license to practice osteopathy in the Commonwealth of Kentucky.
2. The applicant's reported osteopathic specialty is dermatology.
3. The applicant is licensed to practice osteopathy in multiple states, including North Carolina.
4. On or about January 4, 2024, the applicant entered into a Consent Order with the North Carolina Medical Board in which he admitted the following pertinent facts:

    - At all times relevant, Dr. Epstein practiced telemedicine from a location in Tucson, Arizona.
    - Dr. Epstein is a contract provider for an online telehealth platform offering a variety of services and treatments. He lives in Arizona and treats patients nationwide in states where he is licensed.
    - On May 5, 2023, the Board received a complaint from Patient A regarding a telehealth appointment in which he was prescribed Ketamine by Dr. Epstein. The Board thereafter obtained the medical records of three other North Carolina patients who Dr. Epstein prescribed Ketamine to via the telemedicine platform. These patients shall be collectively referred to as Patients A-D. Dr. Epstein treated Patients A-D from on or about February 2023 to June 2023.
    - The Board had Dr. Epstein's records regarding his care of Patients A-D reviewed by an independent medical expert, who authored reports with opinions of the care provided by Dr. Epstein. The Board expert found that Dr. Epstein failed to conform to the standards of acceptable and prevailing medical practice in his treatment of Patients A-D in all aspects of his care, including diagnosis, treatment, records, and overall care. Specifically, the Board expert opined as follows:

        a. Dr. Epstein failed to conduct urine drug screens prior to prescribing Ketamine to Patients A-D;

        b. Dr. Epstein failed to conduct and document a thorough physical examination and comprehensive medical history from Patients A-D before prescribing Ketamine;

        c. Dr. Epstein failed to ensure that, once Ketamine was prescribed to Patients A-D, a clear protocol was in place for patient monitoring, follow-up visits, and assessments for side effects and adverse reactions; and

d. Dr. Epstein failed to establish guidelines for prescribing, dispensing, and monitoring the use of Ketamine to prevent its misuse.

5. Pursuant to the North Carolina Consent Order, the applicant's conduct constituted unprofessional conduct, including but not limited to, a departure from, or failure to conform to the standards of acceptable and prevailing medical practice.

6. Pursuant to the North Carolina Consent Order, the applicant was reprimanded; required to complete continuing medical education; and restricted and prohibited from prescribing the drug Ketamine and any other drug that may contain Ketamine.

7. The applicant was given notice and appeared at the March 19, 2026 Board meeting with counsel. He informed the Board that his current primary practice areas include weight loss and men's health. He submitted documentation to the Board detailing actions taken in over twenty states where he has been licensed, in relation to the North Carolina Consent Order.

8. The applicant did not disclose an Order of Permanent Revocation issued by the State Medical Board of Ohio ("Ohio Board") until asked by Board counsel at the Board meeting. In Ohio, the applicant requested a hearing to address a charge related to his North Carolina Consent Order. Following an adjudication hearing, the Ohio Hearing Examiner issued a Report and Recommended Order, which was approved and confirmed by the Ohio Board and adopted and incorporated into the Ohio Board's Final Order dated May 14, 2025. This order permanently revoked Dr. Epstein's Ohio osteopathic license and imposed a fine of $3,500.

CONCLUSIONS OF LAW

1. By submitting an application for an osteopathic license to the Board, the applicant's osteopathic license is subject to regulation and discipline by the Board.

2. KRS 311.571 provides that the Board may deny licensure to an applicant without a prior evidentiary hearing upon a finding that the applicant has violated any provision of KRS 311.595 or 311.597, or is otherwise unfit to practice.

3. KRS 311.595(17) provides that the Board may deny an application for a license based upon proof that the licensee:

> Had his license to practice medicine or osteopathy in any other state, territory, or foreign nation revoked, suspended, restricted, or limited or has been subjected to other disciplinary action by the licensing authority thereof. This subsection shall not require relitigation of the disciplinary action.

4. Based upon the Findings of Fact, the applicant engaged in conduct which violates the provisions of KRS 311.595(17). Accordingly, there are legal grounds for the Board to deny licensure to the applicant.

ORDER DENYING APPLICATION FOR LICENSURE

After due deliberation, the Board hereby ORDERS that the *Application for Medical/Osteopathic License* in the Commonwealth of Kentucky filed by Andrew Epstein, D.O., is hereby DENIED.

SO ORDERED this 25th day of March, 2026.

William C. Thornbury, MD

WILLIAM C. THORNBURY, JR., M.D.
PRESIDENT

Certificate of Service

I certify that the original of this Order Denying Application for Licensure was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222, and copies were mailed via certified mail return-receipt requested to the applicant, Andrew Epstein, D.O., 5886 E. Placita Alta Reposa, Tucson, Arizona 85750, and his counsel, Randall S. Strause, Esq. and David K. Emerson, Esq., Strause Law Group, PLLC, 804 Stone Creek Parkway, Suite 1, Louisville, KY, and via email to rstrause@strauselawgroup.com and DEmerson@strauselawgroup.com on this 25th day of March, 2026.

Nicole A. King
Assistant General Counsel
Kentucky Board of Medical Licensure
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Louisville, Kentucky 40222
Tel. (502) 429-7150

EFFECTIVE DATE AND APPEAL RIGHTS

This Order Denying Application for Licensure is effective upon filing.

Pursuant to KRS 311.571(7), KRS 311.593(2), and KRS 13B.140, the applicant may obtain judicial review of this Order by filing a Petition for Judicial Review in Jefferson Circuit Court within thirty (30) days after this Order is mailed or delivered by personal service, as noted above. Copies of the petition shall be served by the applicant upon the Board and its General Counsel or Assistant General Counsel. The Petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested, along with a copy of this Order.