

STATE OF VERMONT
BOARD OF MEDICAL PRACTICE

In re: Keri M. Bentley, M.D.

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Docket No. MPN 131-0423

ORDER OF REVOCATION

On November 6, 2024, the Vermont Board of Medical Practice considered the State's Motion for Reciprocal Discipline filed in the above-captioned matter. The State was represented by Kurt A. Kuehl, Esq. Respondent, Keri M. Bentley, M.D., did not file a response to the State's motion and did not appear at the hearing to consider the motion.

After considering the State's argument on the motion, the Board found that Respondent holds Vermont medical license number 042.0014717-COMP first issued by the Vermont Board of Medical Practice on March 6, 2020, pursuant to the procedures established by the Interstate Medical Licensure Compact ("IMLC"), 26 V.S.A. §§ 1420-1420x.

The Board opened this matter after it received notification from the National Practitioner Data Bank that the Kentucky Board of Medical Licensure issued an Emergency Order of Suspension of Respondent's license based upon her indictment in *U.S.A. v. Taylor, et al.*, Case No. 6:21-CR-13-REW (U.S. District Court, Eastern District of Kentucky, Southern Division).

The indictment charged, in part, that Respondent and others conspired to knowingly and intentionally distribute and dispense controlled substances pursuant to prescriptions that were not issued for a legitimate medical purpose and not in the usual course of professional practice.

On or about August 11, 2023, following a jury trial, Respondent was convicted of the following felony offenses:

- Conspiracy to distribute Schedule III and IV controlled substances pursuant to prescriptions not issued for a legitimate medical purpose.

- Conspiracy to commit offenses against the United States by making false statements and using false documents in connection with the delivery of health care services involving one or more health care benefit programs.
- Conspiracy to commit wire fraud and health care fraud.
- Conspiracy to conduct financial transactions involving property that represented proceeds of unlawful activity to dispense Schedule III and IV controlled substances.
- Engaging in a monetary transaction of criminally derived property of a value greater than \$10,000.
- Conspiracy to accomplish a common and unlawful plan to violate 18 U.S.C. § 1956.
- Conspiracy to accomplish a common and unlawful plan to violate 18 U.S.C. § 1957.

On August 21, 2023, the Kentucky Board issued an Amended Complaint that alleged Respondent engaged in unprofessional conduct in violation of KRS 311.595(1), (4), and (9), as illustrated by KRS 311.597(4) and KRS 311.597(12). The Amended Complaint alleged that Respondent violated the statutes when she made false, fraudulent, or forged statements in connection with her license renewal applications on February 15, 2022 and February 22, 2023 in which she denied that she was the subject of a criminal investigation or had criminal charges pending against her. It further alleged that Respondent's conviction in *U.S.A. v. Taylor, et al.*, Case No. 6:21-CR-13-REW (U.S. District Court, Eastern District of Kentucky, Southern Division) constituted unprofessional conduct.

Respondent did not respond to the Amended Complaint and the Kentucky Board filed a Motion for Default Ruling on October 18, 2023. The Kentucky Board hearing officer granted that motion and recommended that the Kentucky Board find Respondent guilty of violating KRS 311.595(1), (4), and (9), as illustrated by KRS 311.595(12) and KRS 311.597(4).

On January 18, 2024, the Kentucky Board took up the matter and adopted the Kentucky Board hearing officer's findings of fact and conclusions of law. It determined that revocation of

Respondent's license was the appropriate sanction. In addition to revoking her license, the Kentucky Board ordered that it shall not consider any petition for reinstatement filed by Respondent unless and until: (1) two years have passed since the revocation of her license; (2) she has satisfied all terms and conditions of the judgment in *U.S.A. v. Taylor, et al.*, Case No. 6:21-CR-13-REW (U.S. District Court, Eastern District of Kentucky, Southern Division), including terms of imprisonment, probation, and/or supervised release; (3) she has completed a clinical skills assessment(s) and/or evaluation(s) approved by the Kentucky Board; (4) she has fully reimbursed the Kentucky Board for the costs of its proceedings; and (5) if her Kentucky license is ever reinstated it shall be contingent upon her entering into an agreed order that she is permanently banned from prescribing or dispensing controlled substances.

Respondent did not file an appeal of the Kentucky Board's Order.

Kentucky, like Vermont, is a member of the IMLC. If a medical board in a state that has enacted the IMLC takes disciplinary action against a physician also licensed in Vermont, the Vermont Board may deem the action conclusive as to matters of law and fact and impose the same or lesser sanction against the physician so long as the sanction is consistent with Vermont law. 26 V.S.A. § 1420j(c)(1).

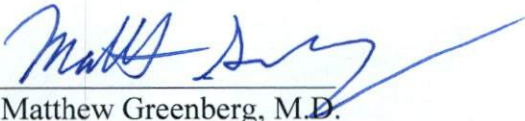
Kentucky law provides that the Board of Medical Licensure may "suspend a license for a period not to exceed five (5) years; limit or restrict a license for an indefinite period; or revoke any license" upon proof that the licensee has committed unprofessional conduct. KRS § 311.595. Similarly, Vermont law provides that if the Board of Medical Practice determines that a licensee has committed unprofessional conduct it may "condition, limit, suspend, or revoke the license, certificate, or practice of the [licensee]" and "take such other action relating to discipline or practice as the Board determines appropriate[.]" 26 V.S.A. § 1374(b)(1)(A)(ii)-(iii). Thus,

each of the sanctions imposed by the Kentucky Board is consistent with and authorized by Vermont law.

Accordingly, the Board deems the Kentucky Board's Order of Revocation to conclusive as to matters of law and fact decided and hereby orders:

- (1) Respondent's license is REVOKED pursuant to 26 V.S.A. § 1420j(c)(1).
- (2) Respondent shall not seek reinstatement of her license prior to January 23, 2026.
- (3) Respondent shall not seek reinstatement of her license until she has satisfied all terms and conditions of the judgment entered against her in *U.S.A. v. Taylor, et al.*, Case No. 6:21-CR-13-REW (U.S. District Court, Eastern District of Kentucky, Southern Division).
- (4) Respondent shall not seek reinstatement of her license until she has satisfied all terms and conditions of the Kentucky Board of Medical Licensure Order of Revocation issued in Case No. 2103 on January 22, 2024.
- (5) If Respondent's Vermont medical license is ever reinstated, it shall be contingent upon her entering into an agreed order that she is permanently prohibited from prescribing or dispensing controlled substances.

SO ORDERED.

By: 
Matthew Greenberg, M.D.
Vice-Chair, Vermont Board of Medical Practice

Vote documented in the Vermont Board of Medical Practice meeting minutes, dated November 6, 2024.

Dated November 6, 2024.