

**IN THE MATTER OF
KEVIN S. UREN, D.P.M.**

**BEFORE THE TEXAS STATE
BOARD OF PODIATRIC
MEDICAL EXAMINERS**

§
§
§
§
§
§



— License No. 2225; Issued 03/07/2016 —

SITTING IN AUSTIN,

LICENSE APPLICANT

TRAVIS COUNTY, TEXAS

AGREED ORDER OF REPRIMAND

BE IT REMEMBERED that on the date approved and entered below came to be considered the allegations against Kevin S. Uren, DPM. By letter dated June 14, 2015 the staff of the Texas State Board of Podiatric Medical Examiners (the "Board") gave preliminary notice to Dr. Uren of its intent to investigate complaints, concerns or reports filed against him. Dr. Uren was duly notified of the allegations against him. Dr. Uren has cooperated with the staff of the Board and was given the opportunity to present information in rebuttal.

By his signature on this Agreed Order, and upon acceptance and entry of this Agreed Order by the Board, Dr. Uren does hereby waive his right to an administrative hearing before the State Office of Administrative Hearings, and judicial review of this Agreed Order. Dr. Uren understands that he has the option, before signing this Agreed Order, to participate in a contested case hearing under the Administrative Procedure Act.

The Board and Dr. Uren, in order to avoid the expense, delay and uncertainty of a hearing, have agreed to the entry of an Order dispensing with the need for further action in this matter. Dr. Uren agrees to this Order for the purpose of resolving this proceeding only.

The Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order:

FINDINGS OF FACT

1. The Board received Dr. Uren's application for a license to practice podiatry in the State of Texas on December 19, 2014.
2. Review of Dr. Uren's application revealed concerns regarding his criminal history. Dr. Uren was provided with notice of the Board's concerns and with an opportunity to respond to the concerns and to show compliance with the law.
3. Dr. Uren, as an applicant to be a podiatrist licensed in the State of Texas, is subject to the provisions of the Podiatric Medical Practice Act of Texas and the Board's Rules.
4. On June 28, 2010 Dr. Uren was arrested by the Athens, AL Police Department for the charges of Obtaining Controlled Substance by Fraud, Conspiracy to Commit a Controlled Substance Crime and Unlawful Distribution of Controlled Substance.
5. On October 5, 2011 Dr. Uren was arrested by the Athens, AL Police Department for the charge of Conspiracy to Commit a Controlled Substance Crime (Contempt of Court).

RECEIVED

FEB 23 2016

**TEXAS PODIATRIC
MEDICAL EXAMINERS**

6. Review of the arrest/conviction records indicate the case was dismissed on April 11, 2014 after Dr. Uren entered a conditional plea of guilty, with adjudication withheld, by entering the Circuit Criminal Court of Limestone County Alabama's Pre-Trial Diversion program on June 10, 2013 by being placed on community supervision, paying Court fees, completing community service and participating in the Court's counseling program.
7. At the October 19, 2015 Informal Consent Hearing on this matter before the Board's Investigative Committee, Dr. Uren stated the controlled substance prescriptions for Soma, Lortab and Demerol were written to a third party, who then returned the prescriptions to Dr. Uren, to help an infirm family member, who was suffering from chronic pain. Dr. Uren expressed regret for his actions as a grave error in judgment.

CONCLUSIONS OF LAW

1. Dr. Uren, as an applicant to be a podiatrist licensed in the State of Texas, is subject to the provisions of the Podiatric Medical Practice Act, Texas Occupations Code, §202.001, et seq., and the associated Rules of the Board, 22 Tex. Administrative Code § 371.1, et seq..
2. Texas Occupations Code §202.253(a) provides that the Board may refuse to admit a person to an examination, and may refuse to issue a license to practice podiatry to a person, for: "(4) engaging in grossly unprofessional or dishonorable conduct of a character that in the Board's opinion is likely to deceive or defraud the public; (5) directly or indirectly violating or attempting to violate this chapter or a rule adopted under this chapter as a principal, accessory, or accomplice; (16) failing to practice podiatry in an acceptable manner consistent with public health and welfare."
3. Texas Occupations Code §202.501(a) provides that: "The Board shall revoke or suspend a license; place on probation a person whose license has been suspended, or reprimand a license holder for violating the law regulating the practice of podiatry or a rule adopted by the Board."
4. Texas Occupations Code §202.5015 provides that: "A license holder who engages in conduct described by Section 202.253 violates this chapter."
5. 22 Texas Administrative Code, §375.3(a) provides that: "The health and safety of patients shall be the first consideration of the podiatric physician. The principal objective to the podiatric profession is to render service to humanity. A podiatric physician shall continually strive to improve his medical knowledge and skill for the benefit of his patients and colleagues. The podiatric physician shall administer to patients in a professional manner and to the best of his ability. Secrets and personal information entrusted to him shall be held inviolate unless disclosure is necessary to protect the welfare of the individual or the community. A podiatric physician shall be temperate in all things in recognition that his knowledge and skill are essential to public health, welfare, and human life. (b) A licensed podiatric physician shall conduct his practice on the highest plane of honesty, integrity, and fair dealing and shall not mislead his patients as to the gravity of such patient's podiatric medical needs."

6. 22 Texas Administrative Code, §376.3(a) provides that: "A podiatric physician who violates a Board rule, order, or any provision of the Act shall be subject to the following disciplinary action: (3) a reprimand by the Board which may be either public or private."
7. The Findings of Fact numbers 1 through 7 establish that Dr. Uren violated: Texas Occupations Code, §202.253(a)(4)(5)(16) and 22 Texas Administrative Code, §375.3(a)(b) in that he failed to practice podiatry in an acceptable manner consistent with public health and welfare by fraudulently prescribing controlled substances to a family member.

ORDER

1. Upon approval by the Board of this Agreed Order, Dr. Uren shall be permitted to sit for the TSBPME Jurisprudence License Exam.
2. After passing the TSBPME Jurisprudence License Exam and successfully completing other pre-licensing requirements, and upon the Board's issuance to him of a license, Dr. Uren will automatically be under Reprimand, and he will be subject to the following conditions:
3. Dr. Uren takes notice that 22 Texas Administrative Code, §375.3 provides that: "(a) The health and safety of patients shall be the first consideration of the podiatric physician. The principal objective to the podiatric profession is to render service to humanity. A podiatric physician shall continually strive to improve his medical knowledge and skill for the benefit of his patients and colleagues. The podiatric physician shall administer to patients in a professional manner and to the best of his ability. Secrets and personal information entrusted to him shall be held inviolate unless disclosure is necessary to protect the welfare of the individual or the community. A podiatric physician shall be temperate in all things in recognition that his knowledge and skill are essential to public health, welfare, and human life. (b) A licensed podiatric physician shall conduct his practice on the highest plane of honesty, integrity, and fair dealing and shall not mislead his patients as to the gravity of such patient's podiatric medical needs."
4. For a period of twenty-four (24) months commencing on the day after the Board issues him a license, Dr. Uren shall not hold a registration from the Texas Department of Public Safety and/or the United States Drug Enforcement Administration to prescribe Schedule I-V controlled substances.
5. At the completion of the twenty-four (24) month time period, Dr. Uren shall physically appear before the Board at its next regularly scheduled meeting at which time he may seek a modified Order to reinstate his ability to prescribe Schedule I-V controlled substances. The Board may issue a modified license via Order upon satisfaction that Dr. Uren has maintained a stable podiatry practice.
6. Dr. Uren shall permit a Board representative or staff member to periodically enter his place of business and/or the facility at which he maintains an office, announced or unannounced, during the hours of 8:00 a.m. to 5:00 p.m. on any weekday that is not a federal holiday to ensure compliance with this Agreed Order, and to ensure proper medical records are maintained, including applicable billing records.
7. The terms of this Agreed Order, if accepted by the Board, become effective upon approval of the Board.

8. If Dr. Uren fully complies with the terms of this Agreed Order, the Board agrees not to bring any further disciplinary action regarding the facts that are the subject of this Agreed Order, other than to issue a modified Order as referenced in Order term number 5.

GENERAL PROVISIONS

1. Effective Date. This Agreed Order shall take effect and become binding upon the approval by the Board.
2. No Waiver. No waiver of any of the terms of this Agreed Order shall be valid unless in writing. No waiver of default of any terms of the Agreed Order shall be deemed a waiver of any subsequent breach or default of the same or similar nature.
3. Governing Law. This Agreed Order is entered into pursuant to and shall be construed in accordance with the laws of the State of Texas including Tex. Occup. Code Ann., §202.001 et seq., the Podiatric Medical Practice Act; and Tex. Gov't Code Ann., §2001.001 et seq., the Administrative Procedure Act.
4. Acknowledgment of Entire Agreement. Dr. Uren acknowledges that he has carefully read this instrument, including all documents or exhibits, if any, that are referred to, that this instrument expresses the entire agreement between the parties concerning the subjects it purports to cover, and Dr. Uren has executed this instrument freely and of his own accord.
5. Notice. Any notice to be given under the terms of this Agreed Order by either party to this order shall be in writing and shall be delivered by personal delivery or certified mail, return receipt requested, to the addresses shown below. Dr. Uren will provide to the Board an updated address within 10 calendar days after moving to Texas.

Kevin Scott Uren, D.P.M.
202 4th Avenue, N.E. Apt. 4
Cut Bank, MT 59427

Texas State Board of Podiatric Medical Examiners
P.O. Box 12216
Austin, TX 78711-2216
6. Upon approval of this Agreed Order by the Board, the Presiding Officer and the Executive Director are authorized to sign the Agreed Order on the Board's behalf.

I, KEVIN S. UREN, DPM, HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE THE RIGHT TO A HEARING BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS AND TO JUDICIAL REVIEW OF THE AGREED ORDER. I SIGN IT VOLUNTARILY. I UNDERSTAND THE AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, ORAL, WRITTEN OR OTHERWISE.



Kevin S. Uren, DPM

February 22, 2016
Date

IN THE STATE OF Montana §

§

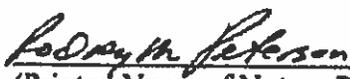
COUNTY OF Grover §

BEFORE ME, on this day personally appeared Kevin S. Uren known to me, who first, being duly sworn, signed the foregoing Agreed Order in my presence.

SIGNED on this the 22nd day of February, 2016.



RODNEY M. PETERSON
NOTARY PUBLIC for the
State of Montana
Residing at Cut Bank, Montana
My Commission Expires
August 30, 2018

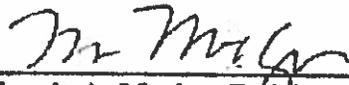


(Printed Name of Notary Public)



Notary Public, in and for the State of MT

APPROVED AND ENTERED by the Texas State Board of Podiatric Medical Examiners on this the 29th day of February, 2016, after a Board vote.



Travis A. Motley, DPM
Board President



Mr. Hemant Makan
Executive Director