

STATE MEDICAL BOARD
BOARD - 1 1989

**CONSENT AGREEMENT
BETWEEN
MICHAEL R. CANADY, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

THIS CONSENT AGREEMENT is entered into by and between MICHAEL R. CANADY, M.D. and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

MICHAEL R. CANADY, M.D. enters into this Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

- A. THE STATE MEDICAL BOARD OF OHIO is empowered by Section 4731.22(B)(26), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice.
- B. THE STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22 (B)(26), and expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4731. of the Revised Code, whether occurring before or after the effective date of this Agreement.
- C. DOCTOR CANADY has applied for a license to practice medicine or surgery in the State of Ohio.
- D. On December 1, 1989, DOCTOR CANADY was admitted into treatment for chemical dependency at the Care Unit Hospital in Cincinnati. He attended the outpatient treatment program for ten weeks participating in three sessions per week. He was discharged from this phase of the program on February 14, 1990.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, MICHAEL R. CANADY, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions, and limitations upon licensure:

1. DOCTOR CANADY shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;
2. DOCTOR CANADY shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of this Consent Agreement;
3. DOCTOR CANADY shall appear in person for interviews before the full BOARD or its designated representative at three month intervals, or as otherwise directed by the BOARD;
4. In the event that DOCTOR CANADY should leave Ohio for three (3) continuous months, or reside or practice outside the State, DOCTOR CANADY must notify the BOARD in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this period under the Consent Agreement;

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5. DOCTOR CANADY shall keep a log of all controlled substances prescribed, dispensed, or administered. Such log shall be submitted in the format approved by the Board thirty (30) days prior to DOCTOR CANADY'S personal appearance before the BOARD or its designated representative, or as otherwise directed by the BOARD.
 6. DOCTOR CANADY shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of DOCTOR CANADY'S history of chemical dependency;
 7. DOCTOR CANADY shall abstain completely from the use of alcohol;
 8. DOCTOR CANADY shall submit to random urine screenings for drugs and alcohol on a weekly basis or as otherwise directed by the BOARD. DOCTOR CANADY is to ensure that all screening reports are forwarded directly to the BOARD on a monthly basis;

DOCTOR CANADY shall submit the required urine specimens to a supervising physician to be approved by the BOARD. The supervising physician shall ensure that the urine specimens are obtained on a random basis, that the giving of the specimen is witnessed by a reliable person, and that appropriate control over the specimen is maintained. In addition, the supervising physician shall immediately inform the BOARD of any positive screening results.

The supervising physician shall monitor DOCTOR CANADY and provide the BOARD with reports on the doctor's progress and status.

In the event that the designated supervising physician becomes unable or unwilling to so serve, DOCTOR CANADY must immediately notify the BOARD in writing, and make arrangements acceptable to the BOARD for another supervising physician as soon as practicable;

9. The BOARD retains the right to require, and DOCTOR CANADY agrees to submit, blood or urine specimens for analysis upon request and without prior notice;
10. Within thirty (30) days of the effective date of this Consent Agreement, DOCTOR CANADY shall undertake and maintain participation in an alcohol and drug rehabilitation program, such as AA, NA, or Caduceus, acceptable to the BOARD no less than four (4) times per week. At his appearances before the BOARD or its designated representative, DOCTOR CANADY shall submit documentary evidence of continuing compliance with this program.
11. DOCTOR CANADY shall provide all employers and the Chief of Staff at each hospital where he has, applies for, or obtains privileges, with a copy of this Consent Agreement.

The above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties. However, this Agreement shall remain in force for a minimum of two (2) years prior to any request for termination of said Agreement.

If, in the discretion of the Secretary of THE STATE MEDICAL BOARD OF OHIO, DOCTOR CANADY appears to have violated or breached any terms or conditions of this Agreement, THE STATE MEDICAL BOARD OF OHIO reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Agreement.

DOCTOR CANADY acknowledges that he has had an opportunity to ask questions concerning the terms of this Agreement and that all questions have been answered in a satisfactory manner. 314 questions
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Any action initiated by the BOARD based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

DOCTOR CANADY hereby releases THE STATE MEDICAL BOARD OF OHIO, its Members, Employees, Agents, Officers and Representatives jointly and severally from any and all liability arising from the within matter.

This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code, and shall become effective upon the last date of signature below.

Michael R. Canady, M.D.
MICHAEL R. CANADY, M.D.

11/27/90
DATE

Henry G. Cramblett
HENRY G. CRAMBLETT, M.D.
Secretary

11/5/90
DATE

Timothy S. Jost
TIMOTHY S. JOST, ESQ.
Supervising Member

10/4/90
DATE

John C. Dowling
JOHN C. DOWLING, ESQ.
Assistant Attorney General

11/8/90
DATE