

**CONSENT AGREEMENT
BETWEEN
AZMY T. DANIAL, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

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STATE MEDICAL BOARD OF OHIO

This CONSENT AGREEMENT is entered into by and between AZMY T. DANIAL, M.D., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

AZMY T. DANIAL, 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)(20), 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 "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board."
- B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation, as set forth in Paragraph E below., of Section 4731.22(B)(20), to wit: Section 4731.41, Practice of Medicine and Surgery without a license, Ohio Revised Code, 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. AZMY T. DANIAL, M.D., has submitted an application for a certificate to practice medicine and surgery in the State of Ohio.
- D. MetroHealth Medical Center, Cleveland, Ohio, on DOCTOR DANIAL's behalf, has submitted an application for a Training Certificate to undertake a residency in psychiatry during the period July 1, 1995, to June 30, 1996.
- E. AZMY T. DANIAL, M.D., ADMITS that, during the period of April 1989 to June 1992, he was employed as a physician by the Cleveland Treatment Center, Cleveland, Ohio, and did perform physical examinations and laboratory work on patients for compensation.

- ✓ Further, AZMY T. DANIAL, M.D., ADMITS that, while employed in that capacity, he held himself out as a physician, being addressed as "Dr." and wearing identification identifying himself as "Dr." and signing medical records and other documentation as "Dr."

Further, AZMY T. DANIAL, M.D., ADMITS that at no time during the above period was he licensed as a physician by the State Medical Board of Ohio.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, AZMY T. DANIAL, M.D., shall be granted a certificate to practice medicine and surgery in the State of Ohio upon receipt and appropriateness of necessary documentation, and knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following:

- 1) DOCTOR DANIAL is hereby REPRIMANDED.
- 2) Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR DANIAL shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he is under contract to provide physician services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, DOCTOR DANIAL shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he contracts to provide physician services, or applies for or receives training, and the chief of staff at each hospital where he applies for or obtains privileges or appointments; and,
- 3) Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR DANIAL shall provide a copy of this CONSENT AGREEMENT by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which he currently holds a license to practice. DOCTOR DANIAL further agrees to provide a copy of this CONSENT AGREEMENT by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which he applies for licensure or reinstatement of licensure. Further, DOCTOR DANIAL shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.

If, in the discretion of the Secretary and Supervising Member of the BOARD, DOCTOR DANIAL appears to have violated or breached any term or condition of this CONSENT

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AZMY T. DANIAL, M.D.
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AGREEMENT, the BOARD 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 DANIAL acknowledges that he has had an opportunity to ask questions concerning the terms of this Agreement and that all questions asked have been answered in a satisfactory manner.

DOCTOR DANIAL 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. It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the BOARD prior to signature by the Secretary and Supervising Member and that it shall become effective upon the last date of signature below.

Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

Azmy T. Danial
AZMY T. DANIAL, M.D.

Thomas E. Gretter, M.D.
THOMAS E. GRETTER, M.D.
Secretary

4-15-1996
DATE

[Signature]
DOUGLAS E. GRAFF, ESQ.
Attorney for Dr. Danial

4/22/96
DATE

5/8/96
DATE

[Signature]
RAYMOND J. ALBERT
Supervising Member

5/8/96
DATE

[Signature]
ANNE B. STRAIT, ESQ.
Assistant Attorney General

5/8/96
DATE