

**CONSENT AGREEMENT
BETWEEN
M. HUSAIN JAWADI, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

This Consent Agreement is entered into by and between M. Husain Jawadi, M.D. [Dr. Jawadi], and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Jawadi enters into this Consent 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.

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4731.22(B)(12), 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 “[c]ommission of an act in the course of practice that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed.”
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violations, as set forth in Paragraph E below, of Section 4731.22(B)(12), Ohio Revised Code, to wit: Prohibitions, Section 3748.15, Ohio Revised Code, to wit: Application and Renewal of Registrations for Handlers of Radiation-generating Equipment, Rule 3701:1-38-03(K), Ohio Administrative Code; and Complicity, Section 2923.03, Ohio Revised Code, to wit: License Required, Exceptions, Section 4773.02(A), Ohio Revised Code. Pursuant to Section 3748.99(A), Ohio Revised Code, violation of Section 3748.15, Ohio Revised Code, constitutes a misdemeanor. Further, pursuant to Section 4773.99, Ohio Revised Code, a first offense violation of Section 4773.02, Ohio Revised Code, constitutes a misdemeanor.
- C. Dr. Jawadi is licensed to practice medicine and surgery in the State of Ohio, License # 35-073824.
- D. Dr. Jawadi states that he does not hold an active license to practice medicine and surgery in any other state or jurisdiction.

OHIO STATE MEDICAL BOARD

AUG 30 2006

- E. Dr. Jawadi admits that, in or about May 2000 through November 2003, he inaccurately provided information to the Ohio Department of Health [ODH] indicating that the bone densitometer machine in his office was inoperable, when, in fact, he was routinely utilizing such machine in the course of his medical practice. As a result, Dr. Jawadi admits that the Certificates of Registration, which the ODH issued to his facility in or about October 2000, November 2001 and November 2003, specified that his bone densitometer machine was an inoperable unit, even though the machine was operable and was also in use during that entire time period. Dr. Jawadi further admits that from in or about October 2000 through January 2004, the bone densitometer machine at his facility was operated by his employees, and those employees did not hold an appropriate Ohio radiologic license. Dr. Jawadi also admits that his unlicensed employees assisted in performing over 700 procedures using the bone densitometer machine, which he represents were performed under his direct supervision, except for one occasion when he was not present when the bone density screening was performed.

Dr. Jawadi states that, until a radiation protection inspection of his facility by the ODH in January 2004, he did not realize that his bone densitometer was registered as inoperable, nor did he realize that the technicians assisting him needed to be licensed, even though he was providing direct supervision. Dr. Jawadi further states that he took prompt corrective action concerning the violations noted during the inspection, and that he is now in compliance with all statutes, rules and regulations governing bone densitometer machines.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Dr. Jawadi knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

Reprimand

1. Dr. Jawadi shall be and is hereby REPRIMANDED.

Required Course

2. Within one year from the effective date of this Consent Agreement, or as otherwise approved in advance by the Board, Dr. Jawadi shall provide acceptable documentation of successful completion of a course or courses, to be approved in advance by the Board or its designee, related to professional ethics and responsibilities. The exact number of hours and the specific content of the program shall be determined by the Board or its designee. These course or courses shall be in

OHIO STATE MEDICAL BOARD

AUG 3 0 2006

addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

In addition, at the time Dr. Jawadi submits the documentation of successful completion of the course or courses, he shall also submit to the Board a written report describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice of medicine in the future.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Jawadi appears to have violated or breached any term or condition of this Consent 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 Consent Agreement.

ACKNOWLEDGMENTS/LIABILITY RELEASE

Dr. Jawadi acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

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.

Dr. Jawadi hereby releases the Board, 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. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Dr. Jawadi acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

EFFECTIVE DATE

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 shall become effective upon the last date of signature below.

M. Husain Jawadi
M. HUSAIN JAWADI, M.D.

Lance A. Talmage
LANCE A. TALMAGE, M.D.
Secretary

8/24/06
DATE

9-13-06
DATE

Karen T. Dunlevey
KAREN T. DUNLEVEY
Attorney for Dr. Jawadi

Raymond J. Albert
RAYMOND J. ALBERT
Supervising Member

8/29/06
DATE

9/13/06
DATE

Mark R. Blackmer
MARK R. BLACKMER
Enforcement Attorney

August 30, 2006
DATE

OHIO STATE MEDICAL BOARD
AUG 30 2006