

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
 )  
Timothy J. McGrath, M.D., ) CONSENT ORDER  
 )  
Respondent. )

This matter is before the North Carolina Medical Board ("Board") on information that Timothy J. McGrath, M.D. ("Dr. McGrath"), has had a problem with substance abuse. Dr. McGrath admits, and the Board finds and concludes, that:

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto; and

Whereas, Dr. McGrath is a medical doctor licensed by the Board on or about May 16, 2002, license number 2002-00571; and

Whereas, during the times relevant herein, Dr. McGrath practiced family medicine in Mebane, North Carolina; and

Whereas, on December 8, 2010, Dr. McGrath entered into a Consent Order with the Board in which he was reprimanded for prescribing controlled substances to three family members and failing to keep a patient chart documenting, among other things, the prescriptions, working diagnosis and treatment plan; and

Whereas, in April 2011, Dr. McGrath suffered a family tragedy in that his infant daughter died from sudden infant death syndrome (SIDS); and

Whereas, in February 2012 the Board received information that Dr. McGrath had used a family member's opiate medication; and

Whereas, in May 2012, the Board received information that Dr. McGrath had again used opiates; and

Whereas on May 23, 2012, Dr. McGrath voluntarily surrendered his license to practice medicine; and

Whereas Dr. McGrath admits that when abusing substances he is unable to practice medicine with reasonable skill and safety to patients by reason of excessive use of drugs within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke or limit Dr. Evans' medical license issued by the Board or to deny any application he might make in the future; and

Whereas, Dr. McGrath acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case; and

Whereas, Dr. McGrath knowingly waives his right to any hearing and to any judicial review or appeal in this case; and

Whereas, Dr. McGrath acknowledges that he has read and understands this Consent Order and enters into it voluntarily; and

Whereas, Dr. McGrath would like to resolve this matter without the need for more formal proceedings; and

Whereas the Board has determined that it is in the public interest to resolve this case as set forth below.

NOW, THEREFORE, with Dr. McGrath's consent, it is ORDERED that:

1. Dr. McGrath is hereby INDEFINITELY SUSPENDED.
2. Dr. McGrath shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.
3. Dr. McGrath shall notify the Board in writing of any change in his residence or practice addresses within ten (10) days of the change.
4. Dr. McGrath shall meet with the Board or members of the Board for an interview at such times as requested by the Board.
5. If Dr. McGrath fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and

hearing, for the Board to annul, suspend or revoke his license to practice medicine and surgery and to deny any application he might make in the future or then have pending for a license.

6. This Consent Order shall take effect immediately upon execution by both Dr. McGrath and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

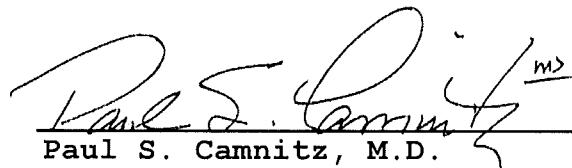
7. Dr. McGrath hereby waives any requirement under law or rule that this Consent Order be served upon him.

8. Upon execution by Dr. McGrath and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies and clearinghouses as required and permitted by law including, but not limited to, the National Practitioner Data Bank.


By Order of the North Carolina Medical Board this the 23<sup>rd</sup> day of July, 2014.

NORTH CAROLINA MEDICAL BOARD

By:

  
Paul S. Cannitz, M.D.  
President

Consented to this the 18<sup>th</sup> day of July, 2014.

  
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Timothy J. McGrath, M.D.


State of North Carolina

County of Wake

I, Tanya Newkirk-Wilson, a Notary Public for the above named County and State, do hereby certify that Timothy J. McGrath, M.D., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

this the 18<sup>th</sup> day of July, 2014.

  
\_\_\_\_\_  
Notary Public

(SEAL)

My Commission expires: 3/30/2015