

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

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

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Timothy John McGrath, M.D. ("Dr. McGrath"). Dr. McGrath makes the following admissions and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

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 to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. McGrath was first issued a license to practice medicine by the Board on or about May 16, 2002, license number 200200571.

At all times relevant hereto, Dr. McGrath practiced family medicine in Burlington, North Carolina.

Dr. McGrath has a history of substance use disorder and of relapses in his recovery therefrom.

On May 2, 2017, Dr. McGrath voluntarily surrendered his medical license after it was revealed that he had relapsed.

On August 4, 2017, Dr. McGrath and the Board entered into a Consent Order that indefinitely suspended his license.

On August 8, 2017, Dr. McGrath submitted his reinstatement application to the Board for a license to practice medicine.

On December 6, 2017, Dr. McGrath's license to practice medicine was reinstated by Consent Order ("December 2017 Consent Order") with conditions, including, but not limited to, that Dr. McGrath (1) maintain his current contract with the North Carolina Professionals Health Program ("NCPHP") and abide by its terms, including the timely payment of any fees required by NCPHP and (2) refrain from the use or possession of alcohol and all other mind- or mood-altering substances and all controlled substances.

On June 18, 2020, the Board was notified by NCPHP that Dr. McGrath tested positive for a controlled substance during a routine urine drug screen, in violation of his NCPHP agreement and December 2017 Consent Order.

On June 26, 2020, Dr. McGrath, through his counsel, requested that his license to practice medicine be inactivated.

#### CONCLUSIONS OF LAW

Dr. McGrath acknowledges that when abusing substances, he is unable to practice medicine with reasonable skill and safety within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and grounds exist

under this section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. McGrath's license to practice medicine or to deny any application he might make in the future.

Dr. McGrath acknowledges that his failure to comply with the provisions in the December 2017 Consent Order constitutes unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. McGrath's license to practice medicine or to deny any application he may make in the future.

#### PROCEDURAL STIPULATIONS

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

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

Dr. McGrath, with the advice of legal counsel, acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. McGrath desires to resolve this matter without the need for more formal proceedings.

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

ORDER

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

1. Dr. McGrath's North Carolina license to practice medicine is hereby INDEFINITELY SUSPENDED.

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

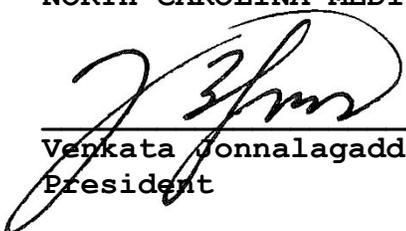
3. Dr. McGrath hereby waives any requirement under any law or rule that this Consent Order be served on him.

4. 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 Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 9th day of November, 2020.

NORTH CAROLINA MEDICAL BOARD

By:

  
\_\_\_\_\_  
Venkata Jonnalagadda, M.D.  
President

Consented to this the 6<sup>th</sup> day of November, 2020.



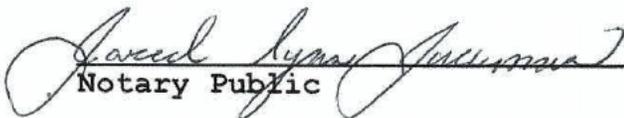
\_\_\_\_\_  
Timothy John McGrath, M.D.

State of North Carolina

County of Alamance

I, Jared Lynn Jackman, do hereby certify that Timothy John 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 6 day of November, 2020.

  
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Notary Public



My Commission Expires: 02-13-2022