

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)	
)	
Chad Daniel Howard, M.D.,)	CONSENT ORDER
)	
Applicant.)	

This matter is before the North Carolina Medical Board ("Board") on the application of Chad Daniel Howard, M.D. ("Dr. Howard") for reinstatement of his license to practice medicine. Dr. Howard admits and the Board finds and concludes that:

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. Howard was first issued a license to practice medicine by the Board on or about February 21, 2002, license number 200200125.

On November 4, 2013, the Board entered into a Consent Order with Dr. Howard, the details of which are contained therein, whereby Dr. Howard was reprimanded for departing from or failing

to conform to the standards of acceptable and prevailing medical practice for his treatment of patients addicted to opioids.

On August 3, 2015, the Board issued Dr. Howard a public letter of concern for treating and prescribing controlled substances to an immediate family member from about July 2009 to February 2014. The Board was also concerned that Dr. Howard provided medical records regarding the treatment he provided the family member as if the record entries were made contemporaneous with the treatment provided, when in fact, they were not.

On December 19, 2016, Dr. Howard voluntarily surrendered his license while under investigation by the Board.

On June 26, 2017, the Board entered into a second Consent Order with Dr. Howard, the details of which are contained therein, whereby his license was indefinitely suspended for consuming alcohol to the point of intoxication immediately prior to his shift at a hospital where he worked as a hospitalist. In this second Consent Order, Dr. Howard admitted he suffers from a health condition, alcohol abuse disorder (severe), that, when left untreated, renders him unable to practice medicine with reasonable skill and safety to patients.

Dr. Howard has been assessed by the North Carolina Physicians Health Program ("NCPHP") and has signed a five-year monitoring contract with NCPHP. Dr. Howard is compliant with

his NCPHP contract and NCPHP advocates for his safety to return to the practice of medicine.

CONCLUSIONS OF LAW

When abusing alcohol, Dr. Howard is unable to practice medicine with reasonable skill and safety to patients by reason of excessive use 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 deny his application for reinstatement.

PROCEDURAL STIPULATIONS

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

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

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

Dr. Howard would like 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. Howard's consent, it is ORDERED that:

1. The Board will reinstate Dr. Howard's license to practice medicine.

2. Dr. Howard shall maintain his current contract with NCPHP and abide by its terms, including the timely payment of any fees required by NCPHP.

3. Unless lawfully prescribed for him by someone other than himself, Dr. Howard shall refrain from the use or possession of alcohol. Likewise, Dr. Howard shall refrain from the use of all mind- and mood-altering substances and controlled substances not lawfully prescribed for him including, but not limited to, sedatives, stimulants and pain medications.

4. Upon request by the Board, Dr. Howard shall supply urine, blood, hair or any other bodily fluid or tissue sample the Board might reasonably require for the purposes of analysis to determine if he has consumed any of the substances mentioned above. All costs of obtaining and analyzing such samples shall be borne by Dr. Howard.

5. Dr. Howard shall meet with the Board or members of the Board for an investigative interview at the March 2019 meeting of the Board and at such times as requested by the Board.

6. Dr. Howard shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

7. Upon an *ex parte* determination of probable cause by the Board that Dr. Howard has failed to comply with any of the terms and conditions of this Consent Order, that determination, without further showing, shall constitute grounds for the Board to summarily suspend Dr. Howard's license pursuant to N.C. Gen. Stat. § 150-3C. Should Dr. Howard's license be summarily suspended by means of this provision of this Consent Order, Dr. Howard shall be entitled to a hearing within ninety (90) days pursuant to the applicable provisions of the Medical Practice Act with the issue to be decided at such hearing being whether Dr. Howard violated the terms and conditions of this Consent Order. Furthermore, if Dr. Howard fails to comply with any of the terms and conditions 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 additional grounds for the Board to suspend or revoke his license or to deny any application Dr. Howard might make in the future or then have pending for a license.

8. This Consent Order shall take effect immediately upon its execution by both Dr. Howard and the Board and it shall

continue in effect until specifically ordered otherwise by the Board.

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

10. Upon execution by Dr. Howard 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 28th day of March, 2018.

NORTH CAROLINA MEDICAL BOARD

By:




Timothy E. Lietz, M.D.
President

Consented to this the 26 day of March, 2018.


Chad Daniel Howard, M.D.

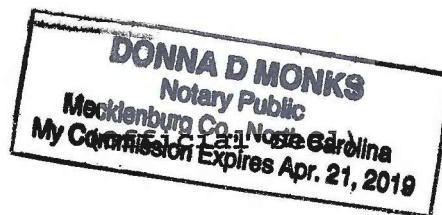
State of NC

County of Mecklenburg

Donna D. Monks
I, Chad Daniel Howard, M.D. , do hereby certify that Chad Daniel Howard, 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 26 day of March, 2018.

Donna D. Monks
Notary Public



My Commission Expires: 04.21.2019