

SOUTH DAKOTA

**BOARD OF MEDICAL
AND OSTEOPATHIC
EXAMINERS**

SDBMOE

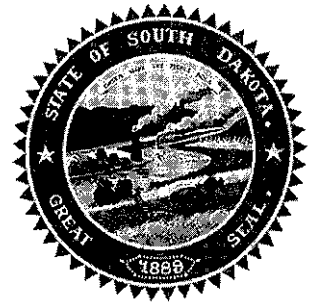
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February 6, 2015

This is to certify that Scharazard Gray, MD, fulfilled all the conditions imposed by the July 25, 2015, order of the North Dakota State Board of Medical Examiners, and by doing so, he has fulfilled the comparable conditions imposed by the December 4, 2014, order of the South Dakota Board of Medical and Osteopathic Examiners. Dr. Gray now holds an unrestricted, unconditioned license in the State of South Dakota.

A copy of the December 4, 2014, stipulation and agreement and final order are attached.

Dated: February 6, 2015

Margaret B. Hansen
Executive Director
South Dakota Board of Medical
and Osteopathic Examiners



NORTH DAKOTA STATE BOARD OF MEDICAL EXAMINERS

Duane Houdek
Executive Secretary and Treasurer

Lynette McDonald
Deputy Executive Secretary

Established 1890

Phone (701) 328-6500 • Fax (701) 328-6505
418 E Broadway Ave, Suite 12 • Bismarck, ND 58501-4086

www.ndbomex.org

CERTIFICATION OF LICENSE STATUS

This is to certify that Scharazard Gray, M.D., has fulfilled all conditions imposed by the July 25, 2014, order of the North Dakota State Board of Medical Examiners and holds an unrestricted, unconditioned license in the State of North Dakota.

A copy of the July 25, 2014, order is attached.

Dated: December 11, 2014

A handwritten signature in black ink, appearing to read "Duane Houdek", written over a horizontal line.

Duane Houdek
Executive Secretary

Mission Statement

The Board's mission is to protect the public's health, safety and welfare by regulating the practice of medicine, thereby ensuring quality health care for the citizens of this state.

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

Re: SCHARAZARD LEE GRAY, MD

FINAL ORDER

The above-entitled matter having come before the South Dakota Board of Medical and Osteopathic Examiners ("Board"), and the Board having been fully advised in the premises thereof; and

Dr. Gray consents to the documents relating to this matter being provided to other state licensing authorities upon their request.

NOW; THEREFORE, the Board hereby:

APPROVES the Stipulation and Agreement and this Final Order, and directs that these are public records of the Board and the State of South Dakota and shall be published on the Board's website and reported to the national data banks and any other entity deemed appropriate by the Board and in compliance with State and Federal law.

By: MD Carlos MD Date: 12/4/14
South Dakota Board of Medical and Osteopathic Examiners

STATE OF SOUTH DAKOTA } S.S.
MINNEHAHA COUNTY

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears on the record in my office.

Executive Secretary

By: MBH by JTP
Date: 12-9-14

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

IN RE: SCHARAZARD L. GRAY, MD STIPULATION AND AGREEMENT

This Stipulation and Agreement, made and entered into by the South Dakota Board of Medical and Osteopathic Examiners, hereinafter referred to as "SDBMOE", and Scharazard L. Gray, MD, hereinafter referred to as "Dr. Gray", witness to the following:

Dr. Gray entered into a Stipulation Agreement with the North Dakota State Board of Medical Examiners in July 2014. The SDBMOE is authorized to take Board action pursuant to SDCL 36-4-30(24): *Discipline by another state, territorial or provincial licensing board, or the licensing board of the District of Columbia*. This Stipulation and Agreement shall mirror the requirements set forth in the Stipulation imposed by the North Dakota State Board of Medical Examiners which is attached hereto and incorporated herein.

Informal Agreement: It is the intent of the parties hereto to provide for the informal compromise and settlement of all issues which could be raised by a formal contested hearing.

Waiver of Rights: Dr. Gray understands he has the right to consult with an attorney of his own choosing and has a right to an administrative hearing on the facts in this matter. He understands and agrees that by signing this Stipulation and Agreement, he is waiving his rights to counsel and to a hearing. He further understands and agrees that by signing this Stipulation and Agreement he is voluntarily and knowingly giving up his right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine witnesses against him, and to appeal the SDBMOE decision to Circuit Court.

Disclosure Waiver: Dr. Gray understands that the SDBMOE has reporting requirements and he consents to the documents relating to this matter being provided to the required entities and to state licensing authorities upon request.

It is further agreed that this Stipulation and Agreement is a public record of the SDBMOE and the State of South Dakota, and it shall be published on the SDBMOE website and reported to the national data banks and all other entities deemed necessary by the SDBMOE in compliance with state and federal law.

Dr. Gray has unconditionally agreed to the Stipulation and Agreement by affixing his signature to this document.

By: [Signature] Date: 10/11/
Scharazard L. Gray, MD

By: _____ Date: _____
Attorney for Dr. Gray (optional)

By: [Signature] Date: 10/11, 2014
Board Member
South Dakota Board of Medical and Osteopathic Examiners

STATE OF SOUTH DAKOTA, S.S.
MINNEHAHA COUNTY
2014
I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears on the record in my office.
Executive Secretary
By: MBH ky-JTP
Date: 12-9-14

BEFORE THE BOARD OF MEDICAL EXAMINERS

STATE OF NORTH DAKOTA

FILE COPY

North Dakota State Board of Medical)
 Examiners – Investigative Panel B,)
)
 Complainant,)
)
 vs.)
)
 Scharazard L. Gray, M.D.,)
)
 Respondent.)

STIPULATION

WHEREAS, the North Dakota State Board of Medical Examiners (hereinafter “the Board”) issued a Complaint requesting Respondent be disciplined for his violations of the North Dakota Medical Practice Act pursuant to N.D.C.C. § 43-17-31, for lacking appropriate documentation in medical records for diagnosis, testing and treatment of patients as required by N.D.C.C. § 43-17-31(26) and requesting the Board be awarded its costs and attorney’s fees in accordance with N.D.C.C. § 43-17-31.1.

WHEREAS, the Respondent admits service of the Summons and Complaint dated December 17, 2013 and agrees that the facts alleged in the Complaint are true and are grounds for disciplinary action by the North Dakota Board of Medical Examiners and that the terms of this Stipulation are appropriate;

THEREFORE, IT IS HEREBY agreed by and between the parties to this action and the North Dakota State Board of Medical Examiners:

1. The Respondent hereby waives any procedural irregularity herein and his right to a hearing on the Complaint now pending in this action;
2. The Respondent agrees that his license to practice medicine in the State of North

Dakota should be suspended for a period of one year with such suspension stayed for a period of one year as long as Respondent complies with the following terms:

a. Respondent agrees to attend a board approved course focusing on medical records and documentation. Respondent shall complete such course within six (6) months of entry of the Board's Order.

3. Respondent shall also be responsible for paying the costs and attorney's fees incurred by the Board in the investigation and prosecution of this action in an amount not to exceed \$2000.00. The Board will notify the Respondent of any such costs within a reasonable time after the Stipulation is approved by the Board and Respondent shall make payment within (30) days from receiving such notification.

4. If Respondent shall fail, neglect, or refuse to comply with any of the terms, provisions, or conditions herein, the license of the Respondent to practice medicine in the State of North Dakota should be suspended in accordance with the law.

5. In the event the Board, in its discretion, does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation, and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

6. This agreement for the disposition of the above-entitled contested case is a matter of public record and the obligations of the Board with respect thereto shall be governed by the laws of North Dakota and current Board policy.

7. All parties hereto recognize that the Board representatives who have engaged in

discussions relative to an agreed disposition of this matter can only make recommendations to the North Dakota State Board of Medical Examiners, which recommendations can in no way be considered as binding upon the full membership of the Board who would ultimately decide the pending contested case, and this agreement is subject to acceptance by the full membership of the Board.

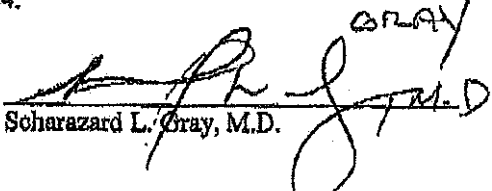
8. Respondent understands that he has the right and has been afforded the opportunity to have this agreement reviewed by an attorney, and that in the event he chooses to execute this document without taking the opportunity to avail himself of this right, such failure shall be deemed to be a waiver of such right.

9. Respondent specifically waives any claim that any disclosures made to the full membership of the Board for the purposes of consideration of this agreement have prejudiced his right to a fair and impartial hearing in the event that this agreement is not accepted by the full Board and if further proceedings ensue.

10. Respondent further agrees that there have been no inducements, threats or promises made in order to obtain her entry into this agreement.

11. The parties further agree that all statements contained herein are based upon the facts known to the Board on the date of execution of this agreement.

Date this 13TH day of JUNE, 2014.


Scharazard L. Gray, M.D.

Dated this 13th day of June 2014.

By Stacy M. Moldenhauer
Stacy M. Moldenhauer
(ID #06293)
Special Assistant Attorney
General
116 North 2nd Street
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