

STATE OF TENNESSEE
DEPARTMENT OF HEALTH

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SECRETARY OF STATE

IN THE MATTER OF:

MICHAEL C. REED, M.D.
RESPONDENT

NASHVILLE, TENNESSEE
TENNESSEE LICENSE NO.: 17498

) BEFORE THE TENNESSEE BOARD
) OF MEDICAL EXAMINERS

) CASE NO: 2012010341
) Docket No.: 17.18-125701 A

AGREED ORDER

Come now the Division of Health Related Boards of the Tennessee Department of Health (hereinafter the "Division"), by and through the Office of General Counsel, and Respondent Michael C. Reed, M.D. (hereinafter "Respondent"), and respectfully move the Tennessee Board of Medical Examiners (hereinafter the "Board") for approval of this Consent Order.

The Board is responsible for the regulation and supervision of medical doctors licensed to practice in the State of Tennessee. See Tennessee Medical Practice Act, Tennessee Code Annotated Section (hereinafter "TENN. CODE ANN. §") 63-6-101, *et seq.* It is the policy of the Board to require strict compliance with the laws of this State, and to apply the laws so as to preserve the quality of medical care provided in Tennessee. It is the duty and responsibility of the Board to enforce the Tennessee Medical Practice Act in such a manner as to promote and protect the public health, safety and welfare in every practicable way, including disciplining medical doctors who violate the provisions of TENN. CODE ANN. § 63-6-101, *et seq.* or the Rules and Regulations promulgated by the Board and recorded in the Official Compilation Rules and Regulations of the State of Tennessee (hereinafter "TENN. COMP. R. & REGS.").

Respondent, Michael C. Reed, M.D., by his signature to this Consent Order, waives the right to a contested case hearing and any and all rights to judicial review in this matter.

Respondent agrees that presentation to and consideration of this Consent Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members shall be prejudiced to the extent that requires their disqualification from hearing this matter should this Order not be ratified. Likewise, all matters, admissions and statements disclosed or exchanged during the attempted ratification process shall not be used against Respondent in any subsequent proceeding. This Consent Order is being entered to resolve the instant matter pending before the Tennessee Board of Medical Examiners concerning Respondent's medical license, and does not constitute an admission of civil liability.

Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this Consent Order. Respondent understands that by signing this Consent Order, Respondent is allowing the Board to issue its Order without further process. Respondent acknowledges that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank and/or National Practitioner Data Bank. In the event that the Board rejects this Consent Order for any reason, it will be of no force or effect for either party.

I. STIPULATIONS OF FACT

1. Respondent has been at all times pertinent hereto licensed by the Board as a medical doctor in the State of Tennessee, having been granted Tennessee medical license number 17498 by the Board on September 12, 1986, which has a current expiration date of August 31, 2014.
2. Respondent treated a patient for depression, anxiety, panic disorders and marital issues from April 2009 until June 2009.

3. In June 2009, Respondent dismissed the patient from his practice and patient agreed to find another physician to manage the patient's prescribed medications.
4. Respondent subsequently had an intermittent, personal relationship with the patient until approximately May 2011.
5. Respondent continued to prescribe to the patient out of a concern of abandoning the patient without a replacement physician to manage patient's medications. During the time frame in which Respondent continued to prescribe to the patient, the patient did not report that any other physician had been found to manage patient's medications.
6. Respondent prescribed Vyvanse 60mg 1-2 tablets a day monthly between July 2009 and June 2011.
7. Respondent prescribed 133 tablets of Darvocet 100mg, 30 tablets of Ambien 10mg and 14 tablets of Nuvigil 250mg, between July 2009 and June 2011.
8. Respondent failed to maintain appropriate records concerning the patient between July 2009 and June 2011.
9. Respondent wrote no additional prescriptions after patient advised Respondent that a replacement physician had been obtained to manage patient's medications.
10. Respondent has voluntarily obtained an independent fitness for duty evaluation by a qualified medical professional, who has confirmed that Respondent is fit to practice medicine.
11. Respondent voluntarily completed a twenty-four (24) hour continuing education course in professional boundaries.
12. Respondent has voluntarily contacted the TMF for assessment and agrees to comply with any recommendations made by the TMF.

II. GROUNDS FOR DISCIPLINE

The facts stipulated to in the Stipulations of Fact are sufficient to establish that grounds for discipline of Respondent's medical license exist.

13. The facts stipulated in paragraphs 3 through 9, *supra*, constitute a violation of TENN. CODE ANN. § 63-6-214(b)(12) for which discipline by the Board is authorized:

Dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition.

III. POLICY STATEMENT

The Tennessee Board of Medical Examiners takes this action in order to protect the health, safety and welfare of the citizens of the State of Tennessee and ensure that the public confidence in the integrity of the medical profession is preserved.

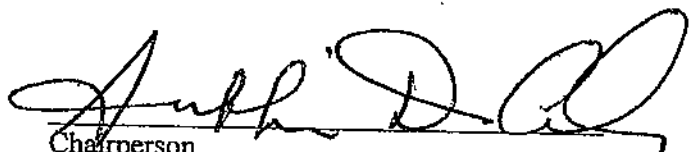
IV. ORDER

NOW THEREFORE, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

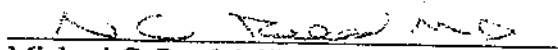
14. The Tennessee medical license of Michael C. Reed, M.D., license number 17498, is hereby placed on **PROBATION** for a period of five (5) years effective the date of entry of this Order.

15. Respondent has contacted the Tennessee Medical Foundation ("TMF") for assessment. Respondent shall cause a copy of the TMF assessment to be forwarded to the Board's consultant by the TMF. Respondent shall comply with any recommendations made by the TMF. If any recommendations are made by the TMF, Respondent shall forward documentation of his compliance with the TMF's recommendations to the Board's consultant.
16. Respondent understands that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank (H.I.P.D.B.) and/or National Practitioner Data Bank (N.P.D.B.).


This **CONSENT ORDER** was approved by a majority of a quorum of the Tennessee Board of Medical Examiners at a public meeting of the Board and signed this 23rd day of July, 2014.


 Chairperson
 Tennessee Board of Medical Examiners

APPROVED FOR ENTRY:


 Michael C. Reed, M.D.
 Respondent

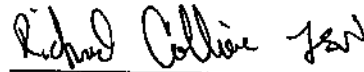
17 July 14
 DATE


 Jennifer L. Putnam (B.P.R. #029890)
 Assistant General Counsel
 Tennessee Department of Health
 665 Mainstream Drive, 2nd Floor
 Nashville, Tennessee 37243
 (615) 741-1611

7/22/14
 DATE

CERTIFICATE OF FILING

This Order was received for filing in the Office of the Tennessee Secretary of State, Administrative Procedures Division, and became effective on the 23rd day of July, 2014.

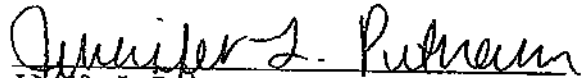


Richard Collier, Director
Administrative Procedures Division

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon Respondent, Michael C. Reed, M.D., 4117 Hillsboro Pike, Suite 103-142, Nashville, TN 37215, by delivering same in the United States Mail, Certified Number 7013 2630 0000 9837 2135, return receipt requested with sufficient postage thereon to reach its destination.

This 24th day of July, 2014.



Jennifer L. Pugham
Assistant General Counsel