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STATE OF TENNESSEE
DEPARTMENT OF HEALTH

SECRETARY OF STATE
IN THE MATTER OF:) BEFORE THE TENNESSEE BOARD
) OF MEDICAL EXAMINERS
JACK KENNETH GRAY, JR., M.D.)
RESPONDENT) DOCKET NO. 17.18-107029A
)
NORMAN, OKLAHOMA)
TENNESSEE LICENSE NO. 19414)

AGREED ORDER

This matter came to be heard before the Tennessee Board of Medical Examiners (hereinafter the "Board") on the 20th day of July, 2010, pursuant to a Notice of Charges issued against JACK KENNETH GRAY, JR., M.D. (hereinafter "Respondent") by the Division of Health Related Boards of the Tennessee Department of Health, (hereinafter the "State"). The State was represented by Mona N. Jean-Baptiste, Assistant General Counsel. Respondent was not present and was not represented by counsel. After consideration of the Notice of Charges and presentation of counsel, the Board finds as follows:

1. Respondent agrees that presentation to and consideration of this Agreed 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.
2. Respondent understands the nature of the charges herein alleged and that if proved at hearing, such charges and allegations would constitute cause for imposing discipline upon Respondent's license issued by the Board.

3. Respondent is aware of each of Respondent's rights, including the right to a hearing on the charges and allegations, the right to appear personally and by counsel, the right to confront and cross-examine witnesses who would testify against Respondent, the right to testify and present evidence on Respondent's own behalf, as well as to the issuance of subpoenas to compel the attendance of witnesses and the production of documents, the right to contest the charges and allegations, and other rights which are accorded Respondent pursuant to the Administrative Procedures Act and other applicable laws, including the right to seek reconsideration, review by the Chancery Court and appellate review.
4. In order to avoid the expense and uncertainty of a hearing, Respondent freely and voluntarily waives each and every one of these rights set forth above and admits the truth of the allegations herein contained. Respondent agrees that cause exists to discipline his license.
5. Respondent understands that by signing this Agreed Order, Respondent is enabling the Board to issue its order without further process. In the event that the Board rejects this Agreed Order for any reason, it will be of no force or effect for either party.

I. FINDINGS OF FACT

6. The 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 19414 on January 24, 1989.
7. On December 18, 2007, the Florida Board of Medicine entered a Final Order accepting Respondent's Voluntary Relinquishment of his Florida medical license, License No.

ME0057877. Pursuant to this agreement, Respondent is also prohibited from reapplying for licensure in the state of Florida.

8. The action was taken amid allegations that Respondent had failed to practice medicine within the standard of care, prescribed or dispensed other than in the course of professional practice and failed to keep legible records that justify the course of treatment.
9. Respondent's discipline by the State of Florida Board of Medicine constitutes unprofessional and/or dishonorable conduct and discipline in another jurisdiction.

II. CONCLUSIONS OF LAW

The facts as found in the Findings of Fact are sufficient to establish that the Respondent has violated the following statutes or rules which are part of the Medical Examiners Practice Act, (TENN. CODE ANN. § 63-6-101, *et seq.*) for which disciplinary action before and by the Board of Medical Examiners is authorized:

10. Respondent's acts or omissions as articulated in *Findings of Fact* paragraphs 7 through 9, *supra*, constitute violations of TENN. CODE ANN. § 63-6-214(b)(1):

Unprofessional, dishonorable or unethical conduct; and

11. Respondent's acts or omissions as articulated in *Findings of Fact* paragraph 7, *supra*, constitutes a violation TENN. CODE ANN. § 63-6-214(b)(20):

Disciplinary action against a person licensed to practice medicine by another state or territory of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed in this state. A certified copy of the initial or final order or other equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of violation of this section and be sufficient grounds upon

which to deny, restrict or condition licensure or renewal and/or discipline a person licensed in this state

III. REASONS FOR DECISION

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 consistent with its charge and finds that no lesser sanction would protect the citizens of this state.

IV. ORDER

IT IS, THEREFORE, **ORDERED, ADJUDGED and DECREED** as follows:

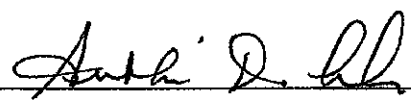
12. The Tennessee medical license of **JACK KENNETH GRAY, JR., M.D.**, license number 19414, shall be and is hereby **VOLUNTARILY SURRENDERED**.
13. Respondent is hereby, also, **ORDERED AND AGREES**, to do the following:
 - a. Respondent shall not reapply for licensure in the state of Tennessee for the remainder of his medical career.
14. **COSTS**
 - a. Respondent must pay the actual and reasonable costs of prosecuting this case to the extent allowed by law. TENN. CODE ANN. § 63-6-214(k). These costs will be established by an Affidavit of Costs, not to exceed Twenty Five Hundred Dollars (\$2,500.00), prepared and filed by counsel for the Department, payable within sixty (60) days of the Respondent's receipt of the Affidavit of Costs. Execution may issue if necessary.

15. This **VOLUNTARY SURRENDER** is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank and/or similar agency.

V. NOTICE

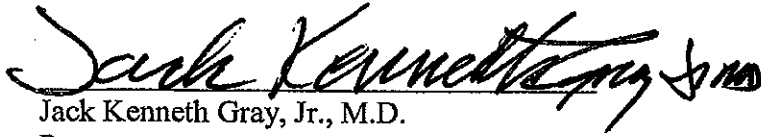
17. Any and all costs shall be paid within one (1) year from the effective date of this Order by submitting a **certified check, cashier's check, or money order** payable to the State of Tennessee, which shall be mailed or delivered to: **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 227 French Landing, Suite 300, Heritage Place Metro Center, Nashville, Tennessee 37243**. A notation shall be placed on said check that it is payable for the costs of **JACK KENNETH GRAY, JR., M.D., COMPLAINT NUMBER 2008002731**.

This **AGREED 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 20th day, July, 2010.



Chairperson
Tennessee Board of Medical Examiners

APPROVED FOR ENTRY:



Jack Kenneth Gray, Jr., M.D.
RESPONDENT
Tennessee License No. 19414
221 Marbel Drive
Norman, Oklahoma 73069

7/14/10
DATE



Mona N. Jean-Baptiste (BPR# 025481)
Assistant General Counsel
Tennessee Department of Health
Office of General Counsel
Plaza I, Suite 210
220 Athens Way
Nashville, Tennessee 37243
(615) 741-1611

15 July 2010
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 22 day of July, 2010.

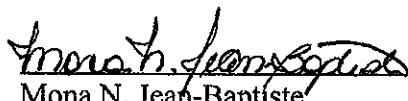


Thomas Stovall
Administrative Procedures Division

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon Respondent, Jack Kenneth Gray, Jr., M.D., 221 Marbel Drive, Norman, Oklahoma 73069, by delivering same in the United States Mail, Certified Number **7010 1060 0002 1687 4285** return receipt requested with sufficient postage thereon to reach its destination.

This 22nd day of July, 2010.



Mona N. Jean-Baptiste
Assistant General Counsel
Tennessee Department of Health