

COMMONWEALTH OF PENNSYLVANIA PROTHONOTARY  
DEPARTMENT OF STATE  
BEFORE THE STATE BOARD OF MEDICINE 2000 SEP 15 PM 1:17

Department of State

Commonwealth of Pennsylvania, :  
Bureau of Professional and :  
Occupational Affairs :

vs. :

Byron S. Braid, M.D., :  
Respondent :

Docket No. 0169-Misc.-00

File No. ~~98-49-02962~~

00-49-03811

CONSENT AGREEMENT AND ORDER

The Commonwealth and Respondent stipulate as follows in settlement of the above-captioned case.

1. This matter is before the State Board of Medicine ("Board") pursuant to the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, as amended ("Act"), 63 P.S. §422.1 et seq.

2. At all relevant and material times, Byron S. Braid, M.D. ("Respondent") held a license to practice medicine in the Commonwealth of Pennsylvania, license number MD-013389-E.

3. Respondent admits that the following facts are true:

a. Respondent's license is current through December 31, 2000, but such license was immediately and temporarily suspended by the Probable Cause Screening Committee of the State Board of Medicine on July 5, 2000.

b. Respondent injected patients with Dimercapto-propane sulfonate (DMPS), an unapproved drug by the Food and Drug Administration.

c. Respondent injected patients with Procaine.hcl in various areas on their bodies to treat such ailments as post-concussion, eye problems and mild thyroid problems.

d. Respondent explained that fetal embryonic tissue could be brought into the United States for treatment of C.W.'s eye problems if appropriate exemption is applied for and received.

e. Respondent's last known addresses on file with the Board are P. O. Box 357E, Pocopson, PA 19366 and 716 Woodward Road, Chadds Ford, PA 19317.

4. The actions of Respondent, described above, violated the Act at 63 P.S. §422.40(a).

5. The participants consent to issuance of the following Order in settlement of this matter:

a. Respondent violated the Act at 63 P.S. §422.40(a) in that he presented a clear and immediate danger to the public health and safety.

b. Respondent's license, number MD-013389-E, is **REVOKED**. Upon adoption of this Consent Agreement and Order, Respondent shall immediately cease and desist from the practice of medicine, and shall not represent himself as a Board licensee in any manner whatsoever.

6. Respondent waives the filing and service of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to that hearing: to be represented by counsel at the hearing; the right to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.


7. This Consent Agreement is between the Commonwealth and Respondent only. Except as otherwise noted, this Agreement is to have no legal effect unless and until the Office of General Counsel approves the contents as to form and legality and the Board issues the stipulated Order.

8. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

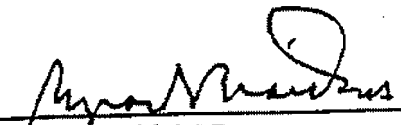
9. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the Stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

10. This agreement contains the whole agreement between the participants. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

11. Respondent verifies that the facts and statements set forth in this Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Agreement are made subject to the criminal penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

  
Kathleen K. Ryan  
Prosecuting Attorney  
Bureau of Professional and  
Occupational Affairs

DATED: 9/13/00

  
Byron S. Braid, M.D.  
Respondent

DATED: 8/24/2000

  
James C. Schwartzman, Esquire  
Respondent's Attorney

DATED: 8/24/2000

**ORDER**

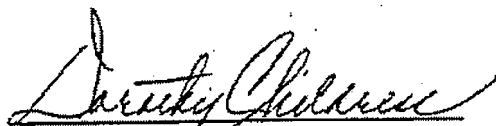
AND NOW, this 13<sup>th</sup> day of September, 2000, the State Board of Medicine adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution of this matter.

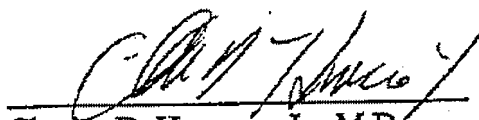
This Order shall take effect immediately.

**BY ORDER:**

**BUREAU OF PROFESSIONAL AND  
OCCUPATIONAL AFFAIRS**

**STATE BOARD OF MEDICINE**

  
Dorothy Childress  
Commissioner

  
Charles D. Hummer, Jr., M.D.  
Chairman

For the Commonwealth:

Kathleen K. Ryan, Esquire  
P. O. Box 2649  
Harrisburg, PA 17105-2649

For Respondent:

James C. Schwartzman, Esquire  
1760 Market Street, 12th Floor  
Philadelphia, PA 19103

and