

**STATE OF TENNESSEE
DEPARTMENT OF HEALTH**

IN THE MATTER OF:)	BEFORE THE TENNESSEE
)	BOARD OF MEDICAL EXAMINERS
TERRENCE C. CASEY, M.D.)	
RESPONDENT)	CASE NOS.: 2009014491
)	2009011621
SAINT LOUIS, MISSOURI)	
TENNESSEE LICENSE NO.: 39528)	

CONSENT ORDER

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 **TERRENCE C. CASEY, M.D.** (hereinafter the "Respondent"), respectfully moves the Tennessee Board of Medical Examiners (hereinafter the "Board") for approval of this Consent Order affecting Respondent's medical license in the State of Tennessee.

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, TERRENCE C. CASEY, 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 the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

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. 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 39528 on February 14, 2005. Respondent currently practices medicine in Saint Louis, Missouri.
2. On November 11, 2008, Respondent prescribed for M.M. while employed on a locum tenens basis at Peninsula Outpatient Centers in Eastern Tennessee without establishing a

physician-patient relationship, performing a physical exam or maintaining a medical record.

3. During his employment on a locum tenens basis at Peninsula Outpatient Centers in Eastern Tennessee, Respondent prescribed for R.L. without establishing a physician-patient relationship, performing a physical exam or maintaining a medical record.
4. On May 6, 2009, Respondent fraudulently created progress notes for patients J.S.^I and J.S.^{II}, respectively, without seeing the patients during his locum tenens employment with Centerstone in Nashville, Tennessee. The note for patient J.S.^I was signed by Respondent at 6:54 p.m. however the patient's appointment was not until 7 p.m. The note for patient J.S.^{II} was signed approximately five minutes later even though the patient's appointment was not to occur until 7:20 p.m.
5. Respondent's locum tenens contract with Centerstone was terminated on June 2, 2009, as a result of these events.

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. Specifically, Respondent has violated the following statutes or rules which are part of the Tennessee Medical Practice Act, (TENN. CODE ANN. §§ 63-6-101, *et seq.* and TENN. COMP.R. & REGS.) for which disciplinary action before and by the Board is authorized:

6. The facts stipulated in paragraphs 2 through 5, *supra*, constitute violations of TENN. CODE ANN. § 63-6-214(b)(1):

Unprofessional, dishonorable or unethical conduct.

7. The facts stipulated in paragraphs 2 through 5, *supra*, constitute violations of TENN. CODE ANN. § 63-6-214(b)(3):

Making false statements or representations, being guilty of fraud or deceit in obtaining admission to practice, or being guilty of fraud or deceit in the practice of medicine.

III. POLICY STATEMENT

The Tennessee Board of Medical Examiners takes this action to protect the 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

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

8. The Tennessee medical license of Respondent, **TERRENCE C. CASEY, M.D.**, license number 39528, shall be and is hereby **REPRIMANDED** commencing from the effective date of this Consent Order.

9. COSTS

- a. Respondent must pay, pursuant to TENN. CODE ANN. § 63-6-214(k) and Rule 0880-2-.12(1)(j) of the Official Compilation Rules and Regulations of the State of

Tennessee, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed by the Office of Investigations, Secretary of State, Administrative Procedures Division as well as the Office of General Counsel. These costs will be established by an Affidavit of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be two thousand five hundred dollars (\$2,500.00).

10. Respondent shall maintain good and lawful conduct. Any violation of law will be considered a violation of the terms of this Consent Order and will be grounds for additional disciplinary action.
11. This **REPRIMAND** is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank and/or similar agency.

V. NOTICE

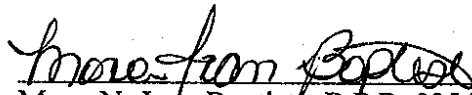
12. Any and all cost payments shall be made by **cashier's check, money order and/or certified check**, payable to the **State of Tennessee, Department of Health**. Any and all payments shall be forwarded to the **Disciplinary Coordinator, State of Tennessee, Bureau of Investigations, Heritage Place Metro Center, 227 French Landing, Suite 201, Nashville, Tennessee 37243**. A notation shall be placed on said check that it is payable for the costs of **TERRENCE C. CASEY, M.D., case no. 2009011621**.

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 27TH day of January, 2010.

Charles W. White

Chairperson
Tennessee Board of Medical Examiners

PREPARED FOR ENTRY:

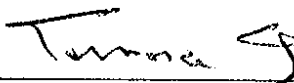


Mona N. Jean-Baptiste, B.P.R. 025481
ASSISTANT GENERAL COUNSEL
Office of the General Counsel
Tennessee Department of Health
Plaza I, Suite 210
220 Athens Way
Nashville, Tennessee 37243
(615) 741-1611

1-25-10

DATE

APPROVED FOR ENTRY:



Terrence C. Casey, M.D.
RESPONDENT
Tennessee License No. 39528
265 Union Boulevard
Apartment 718
Saint Louis, Missouri 63108

1/21/10

DATE

and

1031 West Highlands Avenue
Apartment 216
Saint Louis, Missouri 63103

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this Agreed Order has been served upon Respondent by United States First Class Mail and United States Certified Mail, with sufficient postage thereon to reach its destination at the following address:

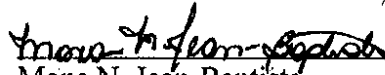
Terrence C. Casey, M.D.
265 Union Boulevard
Apartment 718
Saint Louis, Missouri 63108

Certified Mail Number: 7009 0820 0001 2426 7347
RETURN RECEIPT REQUESTED

Terrence C. Casey, M.D.
1031 West Highlands Avenue
Apartment 216
Saint Louis, Missouri 63103

Certified Mail Number: 7009 0820 0001 2426 7354
RETURN RECEIPT REQUESTED

This 29TH day of January, 2010.



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