



TEXAS MEDICAL BOARD

REMEDIAL PLAN

THOMAS GRAY HARDAWAY, M.D.

LIC # H-4947

On the 10th day of February, 2012, this matter came on to be heard before the Texas Medical Board (the Board). This Remedial Plan was prepared by Ursula Keen.

FINDINGS OF FACT

Respondent failed to obtain and/or document the required remaining 2 hours of formal Cat 1 Ethics of continuing medical education ("CME") regarding Respondent's license renewal period audit of June 1, 2009 to May 31, 2011.

Respondent does not admit or deny the Findings of Facts and Conclusions of Law contained herein but, rather, has agreed to settle in good faith to avoid cost, expense, and uncertainty of litigation.

BOARD HISTORY

Respondent has not had a prior Remedial Plan with the board.

MITIGATING FACTOR

Respondent cooperated in the investigation of the allegations that resulted in this Remedial Plan.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code ("Act").
2. Section 164.051(a)(3) of the Act, as further defined by Board Rule 166.2, authorizes the Board to take action against the Respondent.

3. Section 164.0015 of the Act authorizes the Board to resolve this matter with a Remedial Plan.

4. Section 164.002(d) of the Act provides that this Remedial Plan is a settlement agreement under the Texas Rules of Evidence for purposes of civil litigation.

REMEDIAL PLAN TERMS

Based on the above, the Respondent shall:

1. Within in one (1) year following the date of the entry of this remedial plan, Respondent shall enroll in and successfully complete the required remaining two (2) hours of formal Cat 1 Ethics of continuing medical education ("CME") regarding Respondent's license renewal period audit of June 1, 2009 to May 31, 2011 (all of the CME hours that Respondent lacks concerning the audit period at issue) plus at least four (4) hours of CME, in the topic of Ethics and/or Risk Management. The CME shall be approved for Category I credits by the American Medical Association or American Osteopathic Association and approved in writing in advance by the Executive Director or their designee. To obtain approval for the course, Respondent shall submit in writing to the Compliance Division of the Board information on the course, to include at least reasonable detail description of the course content and facility, as well as the course location and dates of instructions. Respondent shall submit documentation of attendance and successful completion of this requirement to the Compliance Division of the Board on or before expiration of the time limit set forth for completion of the course. The CME requirements set forth in this paragraph shall be in addition to all other CME required for licensure maintenance.

2. In order for the Board to recover the cost of administering this Remedial Plan, payment of \$500 must be made by the Respondent. Payment of this cost is due no later than 60 days after the Respondent receives notice of this Remedial Plan. The cost shall be paid in a single payment by cashier's check or money order payable to the Texas Medical Board and shall be submitted to the Executive Director for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund.

3. The terms of this Remedial Plan are not subject to modification or early termination.

4. Respondent shall comply with all the provisions of the Act and other statutes regulating the Respondent's practice.

5. Respondent shall fully cooperate with the Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Remedial Plan.

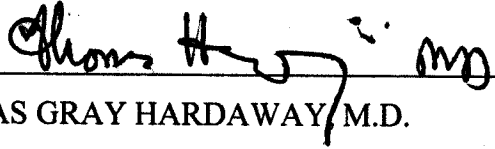
6. Any violation of the terms, conditions, or requirements of this Remedial Plan by Respondent shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

7. This Remedial Plan shall automatically terminate upon Respondent's submission to the Board of evidence deemed to be sufficient by the Compliance Division of the Board that Respondent successfully completed the requirements set forth in the Remedial Plan Terms Paragraph Nos. 1 and 2.

THIS REMEDIAL PLAN IS A PUBLIC RECORD.

THIS REMEDIAL PLAN IS NON-DISCIPLINARY.

I, THOMAS GRAY HARDAWAY, M.D., HAVE READ AND UNDERSTAND THE FOREGOING REMEDIAL PLAN. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS REMEDIAL PLAN IS A FINAL, NON-APPEALABLE AGREEMENT THAT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.



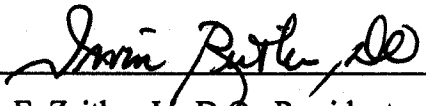
THOMAS GRAY HARDAWAY, M.D.

Respondent

12-11-2011

Date

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 10th
day of February, 2012.



Irvin E. Zeitler, Jr., D.O., President
Texas Medical Board