

**STATE OF RHODE ISLAND
DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE AND DISCIPLINE**

**IN THE MATTER OF:
ARNOLD ROSENBAUM, M.D., License # MD 04446
Controlled Substances Registration Number CMD 04446**

CONSENT ORDER

Arnold Rosenbaum, M.D. ("Respondent") is licensed as a physician in Rhode Island and is licensed to prescribe controlled substances under RIGL 21-28, having both a state Controlled Substances Registration and a Federal Drug Enforcement Administration Registration to prescribe controlled substances. The Board of Medical Licensure and Discipline (the "Board") suspended Respondent's state Controlled Substances Registration on June 4, 2012.

FINDINGS OF FACT

1. Respondent has a pattern of prescribing controlled substances to his wife in a manner that does not meet the standards of acceptable practice.
2. Respondent interacted with the Board in 2008 concerning the above-described practice and agreed that he would discontinue prescribing controlled substances to his wife and that his wife would be treated by another physician.
3. Despite the concerns raised by the Board and Respondent's agreement in 2008, for the period between March 31, 2009 and April 3, 2012, Respondent prescribed 38 prescriptions of Schedule 2, 3 and 4 controlled substances for his wife.

4. Respondent is in violation of RIGL §5-37-5.1 (26) for failing to adhere to the minimum standards of practice relating to prescribing controlled substances.

The parties agree as follows:

Respondent admits to the jurisdiction of the Board.

1. Respondent has prepared this Consent Order and understands that it is subject to final approval by the Board. This Consent Order is not binding on Respondent until final ratification by the Board.

2. If ratified by the Board, Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence on his behalf at a hearing;
- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for those specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;

3. Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

4. Respondent agrees to attend a number of Board-approved extensive training programs. Specifically, Respondent will attend the course: Prescribing Controlled Drugs offered by Vanderbilt University on November 14-16, 2012. The Board acknowledges that Respondent has taken and passed the course entitled "Professional Problem-Based Ethics" offered by Center for Personalized Education for

Physicians and held September 14-16, 2012 and the course entitled Medical Record Keeping offered by Case Western Reserve University on November 1-2, 2012.

5. Respondent agrees to engage Affiliated Monitors, Inc. ("Affiliated") to monitor his prescription-writing and medical records documentation for two (2) years after the date hereof, during which time, Affiliated will monitor Respondent each month for three (3) months and, if "favorable," quarterly for the next nine (9) month period and once for each six (6) month period during the next twelve (12) month period. "Favorable" shall mean consistent with all applicable laws and accepting advice from Affiliated, provided, however, the medical records component shall be applicable only if and when Respondent becomes and remains employed as a physician.

6. Respondent's state Controlled Substances Registration will be reinstated upon the execution of this Consent Order by both parties.

7. Respondent, in all instances, agrees to discontinue the practice of prescribing controlled substances or any prescription medication to his wife.

8. Respondent agrees to retain and maintain the services of one or more physicians to provide medical treatment to his wife.

9. Respondent will remain on probation for two (2) years from the date last written below.

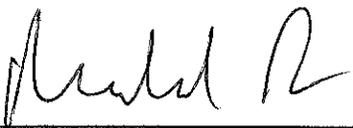
[Signature Page to Follow]

Signed this 6th day of November, 2012.



Arnold Rosenbaum, M.D.

Ratified by the Board of Medical Licensure and Discipline on this 17 day of
November, 2012.



Michael Fine, M.D.
Director of Health
Rhode Island Department of Health