

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

**IN THE MATTER OF:  
PAUL E. BARBER, SR., M.D.  
License Number MD02782  
Controlled Substances Registration Number CMD02782  
BMLD Case Number C13-736**

**VOLUNTARY SURRENDER OF  
CONTROLLED SUBSTANCES REGISTRATION**

Paul E. Barber, Sr., M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island and is licensed to prescribe controlled substances under Rhode Island General Laws chapter 21-28, having both a state Controlled Substances Registration ("CSR") and a Federal Drug Enforcement Administration Registration to prescribe controlled substances. The Board of Medical Licensure and Discipline ("the Board") reviewed the above-referenced complaint, the records, and the written response of the Respondent. The Director makes the following:

**FINDINGS OF FACT**

1. Respondent has been licensed as a physician in Rhode Island since June 30, 1949, and is a 1946 graduate of the Tufts University School of Medicine.
2. A complaint was filed with regard to Respondent, which has not been adjudicated or otherwise resolved yet, that alleges Respondent was prescribing controlled substances for a patient but was not keeping any medical records of such treatment or reasons for it.

3. While the matter is under further Board review, Respondent voluntarily signs this agreement to surrender his Controlled Substances Registration.

**Based on the foregoing, it is hereby ordered as follows:**

1. Respondent admits to the jurisdiction of the Board.
2. Respondent voluntarily surrenders his controlled substances registration to prescribe controlled substances, which includes for the purposes of this agreement medical marijuana notwithstanding any statutory inconsistency; however, Respondent may otherwise continue to prescribe medications that are not controlled substances.
3. This surrender shall continue until further Order of the Board after an administrative hearing or other resolution.
4. The Respondent shall continue to be responsible for providing a proper medical home for any of his patients who need controlled substances prescribed to them, and shall continue to be responsible to transfer any medical records of such patients immediately upon request or when needed.
5. Respondent has agreed to this Voluntary Surrender of CSR and understands that it is subject to final approval of the Director, and this Voluntary Surrender of CSR is not binding on Respondent until final ratification by the Director.
6. If ratified by the Director, 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 Voluntary Surrender of CSR; and
  - g. Any objection to the fact that this Voluntary Surrender of CSR will be presented to the Board for consideration and review.
7. Respondent may petition the Board for reinstatement of his Rhode Island Controlled Substances Registration upon a claim of substantial change of circumstance.
8. Respondent shall not prescribe any controlled substances, or medical marijuana, until the Board has reinstated his Controlled Substances Registration.
9. Respondent may work with another physician in his practice who has a current Controlled Substance Registration.
10. In the event that any term of this Voluntary Surrender of CSR is violated, after signed and accepted, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license and/or impose further disciplinary action. If the Director suspends the license and/or imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative hearing within ten (10) days of the suspension and/or

**PAUL E. BARBER, SR., M.D.**

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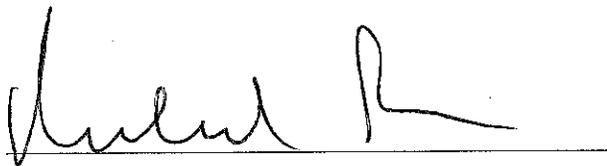
further discipline. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of a violation of any term of this Voluntary Surrender of CSR. The Administrative Hearing Officer may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

Signed this 30th day of October, 2013.



Paul E. Barber, Sr., M.D.

Signed this 9th day of October, 2013.



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