

**BOARD OF MEDICAL LICENSURE AND  
DISCIPLINE**

**No: C08-023**

**IN THE MATTER OF  
Steve Tu, D.O.  
License Number: DO 00602**

**Consent Order**

Pursuant to R.I. General Laws §5-37-5.2, 1956, as amended, (2002 Reenactment) a complaint from the RI Attorney Generals office on behalf of a patient was received by the Board of Medical Licensure and Discipline [Board] regarding Steve Tu, D.O. ("Respondent"). This matter was referred to an Investigating Committee of the board for review and recommendation. The following are findings of fact and conclusions of law:

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW**

1. The Respondent is a physician born in 1970 and has been licensed to practice medicine in Rhode Island since 2005. He is a 1997 graduate of the University of Health Sciences College of Osteopathic Medicine. His primary area of practice is ophthalmology. He does not have hospital privileges.
2. On or about September 17, 2007 the patient was approved for approximately \$2600.00 in credit to obtain Lasik Surgery from Clear Choice Laser Eye Center, 400 Bald Hill Road, Suite 525, Warwick, RI 02886 in which the Respondent is the owner and manager. This credit application was submitted on site at Clear Choice through a credit company with a prior relationship with Clear Choice.
3. Complainant's Lasik Surgery was cancelled on multiple occasions by Clear Choice Laser Center. However, the Respondent billed Capitol One Finance for \$2600 for Lasik Surgery that was not performed.

4. Patient requested that the Respondent credit his account for the surgery not performed on multiple occasions.
5. Patient's credit has now been harmed by Respondents failure to appropriately refund patients account as Respondent agreed to do both the patient and subsequently the Board.

**The parties agree as follows:**

Respondent admits to the jurisdiction of the Board.

- (1) 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 in 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 specifically contained herein;
  - f. Any and all rights of appeal of the terms of this Consent Order;
  - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
  - h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order
- (2) Acceptance of this Consent Order constitutes an admission by the Respondent that the findings of fact were made by the Board but not an admission to the findings themselves. Neither this Consent Order nor any finding or statement

therein shall be used in any future judicial proceedings to establish any of the facts, findings or conclusions contained herein.

- (3) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
- (4) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
- (5) Respondent hereby consents to probation for one (1) year to begin with the ratification of this order.
- (6) Respondent's probationary status will be lifted after one (1) year upon application to the Board.
- (7) Respondent agrees to pay an administrative fee of ONE THOUSAND (\$1000.00) DOLLARS within 60 days of ratification of this Order.
- (8) The Respondent agrees to make full restitution to Capitol One Finance for any and all billings for services not rendered within 30 days of this Order.
- (9) The Respondent agrees to forward the Board documentation confirming full restitution has been made for all improper billing to Capitol One Finance regarding this and any other patient in a similar situation within 30 days of this Order.

Signed this 5<sup>th</sup> day of May, 2008.

 Steve Tu, D.O.

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Steve Tu, D.O.

Ratified by the Board of Medical Licensure and Discipline at a meeting held  
on May 14<sup>th</sup>, 2008.



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David R. Gifford, MD, MPH  
Director of Health