

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

**IN THE MATTER OF:
KEITH PERRY, M.D.
License Number MD 07817
BMLD Case Number C13-474**

CONSENT ORDER

Keith Perry, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline (hereinafter the "Board") through its investigating committee voted to find Respondent should be subject to this Consent Order and made the following:

FINDINGS OF FACT

1. Respondent has been a licensed physician in the State of Rhode Island since July 3, 1990. Respondent's office is located at 200 High Service Avenue, North Providence, Rhode Island, and his primary specialty is Anesthesia, in which he has been board certified since 2005.
2. Respondent was the attending anesthesiologist for an 11 year old male patient with severe autism who was scheduled to have an elective surgical procedure. Respondent noticed the patient was being walked to the operating room with a nurse as well as his father.
3. This was in conflict with Respondent's pre-procedure instructions to the nursing staff. For patient safety reasons, Respondent had instructed the staff that patients be transported to the operating room on a stretcher.

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4. The nurse stated she was not aware of the instruction. Respondent became angry, and engaged in disruptive behavior, raising his voice and castigating the nurse and using inappropriate language, all within the hearing of patient and his father.
5. Subsequent to this incident, Respondent contacted the Physicians Health Committee ("PHC") concerning his conduct. He entered a contract with the PHC pursuant to which he received a psychological evaluation, he attended a CME course on conflict management, and is engaged in psychological counselling on issues of anger management with a psychologist approved by the PHC.
6. Respondent is in civil violation of Rhode Island General Laws § 5-37-5.1(19) for willful misconduct and for failure to conform to the minimal standards of acceptable and prevailing medical practice.

Based on the foregoing, the parties agree as follows:

1. Respondent admits to the jurisdiction of the Board;
2. Respondent has reviewed this Consent Order and understands that it is subject to final approval of the Board; and this Consent Order is not binding on Respondent until final ratification by the Board;
3. If ratified by the Board, Respondent hereby acknowledges and waives:

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- 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; and
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.
4. Respondent agrees to this Reprimand by the Board based on the above findings.
 5. Respondent shall submit to the Board a check payable to the Rhode Island General Treasury in the amount of \$1000.00 by September 30, 2014, as an administrative fee in resolving the above-referenced complaint.
 6. Respondent will continue his contact with the Physicians Health Committee and follow all of its recommendations, including the continuation of psychological counseling until released by the delegation of the PHC.

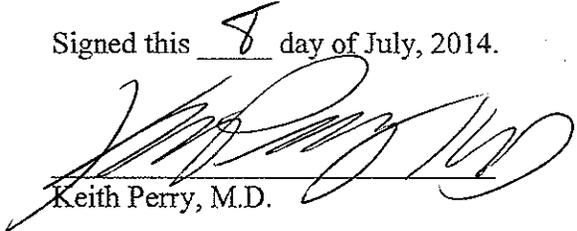
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7. Respondent shall attend a seven hour CME pertaining to autism within twelve months of ratification of this Consent Order.

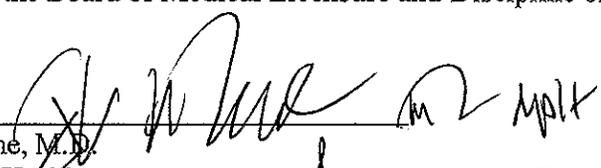
8. In the event that any conditions of this Consent Order are violated after it is signed and accepted, the Director of the Department of Health shall have the discretion to impose further disciplinary action, and Respondent shall have the right to hearing within twenty (20) days of such action. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of any violation of this Consent Order.

Signed this 8 day of July, 2014.



Keith Perry, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 9 day of July, 2014.



Michael Fine, M.D.
Director of Health
Rhode Island Department of Health
Cannon Building, Room 401
Three Capitol Hill
Providence, RI 02903
Tel. (401) 222-2231
Fax (401) 222-6548

for