

IN THE MATTER OF: Philip J. Reilly, MD License #: MD 07857 Case #: C19-0074

CONSENT ORDER

Phillip J. Reilly, MD ("Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline ("Board") makes the following

FINDINGS OF FACT

- 1. Respondent has been a licensed physician in the State of Rhode Island since August 10, 1990.
- 2. Respondent is a graduate of Columbia University College of Physicians and Surgeons.
- 3. The Board received a complaint from Kent County Memorial Hospital ("Kent") indicating that Respondent had been suspended for disciplinary reasons from Kent's medical staff for seven days, starting December 20, 2018.
- 4. The Investigative Committee subpoenaed Respondent's credentials file from Kent's medical staff office. The Investigative Committee's review of the file established a pattern of disruptive behavior as the basis for Kent's decision to suspend Respondent's privileges.
- 5. Kent's Chief Medical Officer ("CMO") appeared before the Investigative Committee on June 26, 2019 and discussed the facts and circumstances relevant to several occurrences related to allegations of disruptive behavior detailed in Respondent's credentials file. The CMO stated that the decision to suspend Respondent was based, in part, on the repetitive nature of actions of Respondent determined by Kent to be disruptive.
- 6. Respondent appeared before the Investigative Committee on June 26, 2019 and explained the facts and circumstances relative to the above-referenced basis for Kent's suspension of Respondent's privileges. Respondent disputes the basis for the temporary suspension, but acknowledges that he agreed to the suspension, even though he was not fully aware of the consequences of the suspension.

- 7. Respondent stated that he is retired from the practice of medicine, but that he nevertheless maintains his license to practice medicine in the State of Rhode Island.
- 8. The Investigative committee concluded that the established grounds for Kent's suspension of Respondent's privileges constitute "acts or conduct similar to acts or conduct which would constitute grounds for action as described in [Chapter 23 of the Rhode Island General Laws]" and that, accordingly, Respondent had violated the R.I. Gen. Laws § 5-37-5.1(21).

Based on the foregoing, the parties agree as follows:

- 1. Respondent admits to the jurisdiction of the Board.
- 2. Respondent has agreed to 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:
 - 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; and
 - h. Any objection that this Consent Order will be reported to the National Practitioner Data Bank and Federation of State Medical Boards, as well as posted on the Department's public web site.
- 4. Respondent agrees to a Reprimand on his license.

Respondent will be evaluated and follow the recommendations by Rhode Island Physicians Hearth Program within 60 days of ratification of this consent order. Respondent may postpone this evaluation, or discontinue the evaluation, if he inactivates his license and notifies the Board of this postponement or discontinuation, in writing, within 15 days of such postponement or discontinuation Respondent will send notice of compliance with this condition to

5.

- Respondent agrees to pay to the Board, within five days of the ratification of this Consent Order, an administrative fee in the amount of \$1950.00, for costs associated with investigating the above-referenced complaint. Such administrative fee is to be paid by check, made payable to the "Rhode Island General Treasurer." Respondent will send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with this condition to the send notice of compliance with the send notice of compliance with this condition to the send notice of compliance with the send notice of compl
- 7. If Respondent violates any term of this Consent Order after it is signed and accepted, the Director of the Department of Health shall have the discretion to impose further disciplinary action, including immediate suspension of his medical license. If the Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request a hearing within 20 days of the suspension and/or further discipline. The Director of the Department of Health shall also have the discretion to request a hearing after notice to Respondent of a violation of any term of this Consent Order. The Board may suspend Respondent's license, or impose further discipline, for the remainder of

Respondent's licensure period if any alleged violation is proven by a preponderance or evidence.

[Signature Page Follows]

Signed this 30 day of20	
Signed this 30 day of 20	19.
July The	7
Philip J. Reilly, MD)

Ratified this 1th day of 5000 2019 by the Board of Medical Licensure and Discipline.

Nicole Alexander-Scott, M.D., M.P.H.

Director/

Rhode Island Department of Health

3 Capitol Hill, Room 401

Providence, Rhode Island 02908