

State of Rhode Island
Department of Health
Board of Medical Licensure & Discipline



IN THE MATTER OF:
Robert Abba Micley, MD
License No.: MD 15149
Case No.: C210013

VOLUNTARY SURRENDER

Robert Abba Micley, MD ("Respondent") is licensed as a physician in the state of Rhode Island. Respondent, having previously agreed to cease any and all practice of medicine in the State of Vermont wishes to voluntarily surrender his license to practice medicine in the State of Rhode Island. The Rhode Island 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 12, 2015.
2. On January 12, 2021, the Federation of State Medical Boards ("FSMB") notified the Board that Respondent entered into an had entered into a Cessation of Practice Agreement with the State of Vermont Board of Medical Practice on October 26, 2020, effective November 6, 2020, pursuant to which Respondent voluntarily agreed to refrain from any and all practice of medicine "as a result of circumstances involving Respondent's personal health concerns."
3. Respondent has not practiced medicine in the State of Rhode Island since on or before the effective date of the Cessation of Practice Agreement.

4. The Cessation of Practice Agreement expressly stated that the agreement "does not constitute disciplinary action."

5. R.I. Gen. Laws § 5-37-5.1(21) defines "unprofessional conduct" as including, *"[s]urrender, revocation, suspension, limitation of privilege based on quality of care provided, or any other disciplinary action against a license or authorization to practice medicine in another state or jurisdiction."*

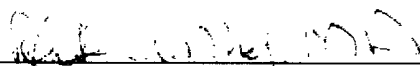
Based on the foregoing, the parties agree as follows:

1. Respondent admits to and agrees to remain under 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 is not binding on Respondent until final ratification by the Director.
3. 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 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 to the fact that this Consent Order will be reported to the National Practitioner Data Bank and Federation of State Medical Boards and posted to the Rhode Island Department of Health ("RIDOH") public website.

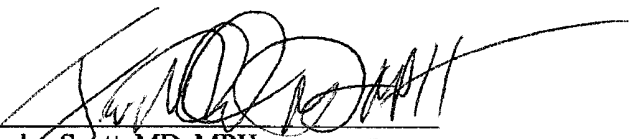
4. Respondent hereby agrees to surrender his physician license and not seek reinstatement until endorsed by the Rhode Island Medical Society's Physician Health Program or applicable equivalent.
5. As in the State of Vermont, Respondent's voluntary surrender of his license to practice medicine does not constitute disciplinary action.
6. If Respondent violates any material term of this Consent Order after it is signed and accepted, the Director of RIDOH ("Director") shall have the discretion to impose further disciplinary action, including immediate suspension of Respondent's medical license. If the Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request, within 20 days of the suspension and/or further discipline, an administrative hearing. The Director shall also have the discretion to request an administrative hearing after notice to Respondent of a violation of any term of this Consent Order. 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.

[SIGNATURE PAGE FOLLOWS]

Signed this 17 day of February, 2021.


Robert A Micley, MD

Ratified by the Board of Medical Licensure and Discipline on the 17th day of February, 2021.


Nicole Alexander-Scott, MD, MPH
Director
Rhode Island Department of Health
3 Capitol Hill, Room 401
Providence, RI 02908

