

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

**IN THE MATTER OF
Robert Paoella, M.D.
License Number: MD8017**

C08-166

Consent Order

Pursuant to R.I. Gen. Laws §5-37-5.2, 1956, as amended, (2002 Reenactment) a notification was received by the Board of Medical Licensure and Discipline [Board] regarding Robert Paoella, M.D. ("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 1958 who has been licensed to practice medicine in Rhode Island since 1991. He is a 1986 graduate of the University of Guadalajara, Mexico. His primary area of practice is Internal Medicine.
2. The Board became aware that the Respondent has not fully complied with the terms of his prior agreement with the Board to fully comply with a five (5) year behavioral treatment and monitoring agreement with the RI Physician's Health Committee of the Rhode Island Medical Society.
3. The Board finds that Respondent's conduct violated RIGL §5-37-5.1 for non-compliance with a Diversion Contract.

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 acknowledgment by the Respondent that the findings of fact were made by the Board.
- (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, may subject the Respondent to further action.
- (5) Respondent hereby consents to a Reprimand and a five-year monitoring period that will commence on the date of ratification of this order.
- (6) During this five-year agreement, Respondent agrees to sign and fully comply with a monitoring contract with the RI Physician's Health Committee. The Respondent is required to assure quarterly reports are submitted to the Board by his physicians through the physician health committee. Respondent agrees to waive any and all patient confidentiality and allow the Board and RI Physician's Health Committee to access any and all medical and psychiatric records.
- (7) Respondent's monitoring period will be lifted after five (5) years upon successful completion of the terms of the contract and upon application by the Respondent to the Board, unless otherwise ordered sooner by the Board.

Signed this day of Oct 27, 2008.



Robert Paoella, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held
on Nov 12th, 2008



David R. Gifford, M.D., MPH
Director of Health