

RHODE ISLAND BOARD OF MEDICAL LICENSURE AND DISCIPLINE

IN THE MATTER OF:
Serge Djukic, MD
License No.: MD 16697
Case No.: C23-0017

CONSENT ORDER

Serge Djukic, MD ("Respondent") is licensed as a physician in the State of California. The Rhode Island Board of Medical Licensure and Discipline ("Board") has reviewed and investigated the above-referenced complaint pertaining to Respondent through its Investigative Committee. The Board makes the following:

FINDINGS OF FACT

1. Respondent has been a licensed physician in the State of California since 1992. Respondent graduated from the School of Medicine, University of Belgrade, Belgrade Yugoslavia in 1987 and continued his training in General Medicine at St. Mary's Hospital, San Francisco California from 1991 to 1992; Residency in Diagnostic Radiology at the University of California, San Diego, California from 1992 to 1996; and, a Fellowship in Neuroradiology at the Mallinckrodt Institute of Radiology St. Louis, Missouri from 1996 to 1997. Respondent is Certified by the American Board of Radiology with an added Qualification in Neuroradiology. Respondent's specialty is Diagnostic Radiology.
2. As part of his practice, Respondent has obtained licenses in various states to permit him to remotely review imaging studies for healthcare providers on a part time basis.
3. The Rhode Island Department of Health implemented a program as part of its response to coronavirus disease 2019 (COVID-19) and under the program the Rhode Island Department of Health relaxed regulatory enforcement for certain medical professional licensing by issuing temporary (90 day) licenses to professionals holding a valid out-of-state license.

4. Beginning March 18, 2020, out-of-state licensees only needed to submit a completed application form and a statement verifying the license status from their home state to receive a 90-day license to practice in Rhode Island.

5. The temporary license could be renewed one time.

6. There was no cost to obtain the license or for the one-time renewal.

7. In February of 2022 Respondent applied for an Emergency 90 Day Temporary License pursuant to the program described above and his application was granted and he received his temporary license on February 9, 2022.

8. Respondent's temporary license was scheduled to expire on May 10, 2022.

9. During this difficult period of the pandemic both of Respondent's parents contracted COVID-19. Respondent was their primary caretaker responsible for providing around-the-clock care for them while maintaining his medical practice.

10. The Board understands that Respondent contracted COVID-19 during the same period of time and since his recovery has experienced lingering symptoms that have made it difficult for him to manage all of his responsibilities.

11. Respondent decided to apply for a full Rhode Island License in December of 2022 and while preparing his application discovered he had inadvertently permitted his temporary license to lapse. Respondent immediately stopped reading imaging studies for a Rhode Island health care facility that had engaged him to review imaging under his temporary license. Of significance, Respondent immediately notified the Rhode Island Department of Health of the oversight and asked for guidance relative to obtaining reinstatement of his license.

12. The Rhode Island Department of Health filed a complaint with the Board after Respondent notified the Department that he had reviewed imaging studies after the expiration of his temporary license.

13. The Board concluded that Respondent practiced medicine without a valid license from the expiration of his temporary license up through the time he notified the Board of his failure to seek an extension of his temporary license.

14. The Board made a probable cause determination that Respondent violated R.I. Gen. Laws § 5-37-5.1(24).

Based on the foregoing, and given the circumstances, the Board and Respondent 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 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 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 agrees to pay, within 5 days of the ratification of this Consent Order, an administrative fee of \$1,100.00 for costs associated with investigating the above-referenced complaint. Such payment shall be made by certified check, made payable to "Rhode Island General Treasurer," and sent to Rhode Island Department of Health, 3 Capitol Hill, Room 205, Providence, RI 02908, Attn: Jessica DeSanto. Respondent will send notice of compliance with this condition to DOH.PRCOMPLIANCE@healthsi.gov within 30 days of submitting the above-referenced payment.

5. Respondent hereby agrees to a reprimand on his physician license.

6. Respondent is not precluded from re-licensure per his pending application as long as he complies with the terms of this Consent Decree and is otherwise qualified in accordance with the requirements of the Rhode Island Department of Health for licensure of physicians.

7. If Respondent violates any term of this Consent Order after it is signed and accepted, either the Board or the Director of RIDOH ("Director") shall have the discretion to impose further disciplinary action, including immediate suspension of Respondent's medical license. If the Board or 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 Board or 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.

As Assented to and Signed this 7th day of July 2023.

Serge Djukic
Serge Djukic, MD

Ratified by the Board of Medical Licensure and Discipline on the 9th day of
August 2023.

Staci A. Inche MD