

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



IN THE MATTER OF:
Paul Mallari P.A.
License Number PA-00290
Case # C16-1486

CONSENT ORDER

The Rhode Island Board of Licensure of Physician Assistants (hereinafter "Board") has reviewed and investigated the above referenced complaint pertaining to P.A. Paul Mallari (hereinafter "Respondent") through its Investigative Committee.

FINDINGS OF FACT

1. Respondent has been a licensed physician assistant in the State of Rhode Island since January 16th, 2002. His practice is located at 49 Seekonk Street, Suite 3, Providence, Rhode Island.
2. Respondent is a physician assistant and was a business associate/partner with a physician in a medical practice. This physician, who was the business associate is also the complainant in this matter.
3. Respondent signed checks using complainant's name, on more than one occasion, without permission from the complainant. Respondent on at least 2 occasions signed his name and complainant's name to a check to Verizon and a check to American Express.
4. Respondent also signed or caused to be signed on his behalf, complainant's name to a document from Allergan USA Inc, acknowledging receipt of samples of Botox to 191 Bedford Street, Fall River, MA 02720 on December 2nd, 2009. Respondent

indicated adjacent to signature his initials "pm". Complainant was not associated with this business address at that time. This address is a known business address of Respondent.

5. Respondent also signed or caused to be signed on his behalf, complainant's name to a document from Allergan USA Inc, acknowledging receipt of samples of Botox at 29 Powell Avenue, Newport, RI 02840 on December 2, 2009. Respondent indicated adjacent to signature his initials "pm". Complainant was not associated with this business address at that time. This address is a known business address of Respondent.
6. Respondent also signed or caused to be signed on his behalf, complainant's name to a document from Allergan USA Inc, authorizing a request for healthcare provider samples of Botox 50-unit sample 10 vials expected delivery date February 12th, 2014 as part of the physician experience program, on February 8th, 2014. Respondent indicated adjacent to signature his initials "pm".
7. Respondent also signed or caused to be signed on his behalf, complainant's name to a document from Allergan USA Inc, acknowledging delivery of Botox samples at 400 Bald Hill Road, Warwick, Rhode Island, shipped by Fed Ex (ship date 2/25/2014). Respondent indicated adjacent to signature his initials "pm". Complainant was not associated with this business address at that time. This address is a known business address of Respondent.
8. Respondent also signed or caused to be signed on his behalf, complainant's name to a document from Allergan USA Inc, on October 13th, 2013, ordering 20 vials of Botox samples to 400 Bald Hill Road, Warwick, Rhode Island, Agape Medical attention: Dina. Respondent indicated adjacent to signature his initials "pm". Complainant was not associated with this business address at that time. This address is a known business address of Respondent.
9. Respondent violated RIGL §5-54-2 11 (ii) *Portraying himself or herself as a physician.*


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; and
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.


- h. Any objection that this Consent Order will be reported to the National Practitioner Data Bank, Federation of State Medical Boards as well as posted on the department's public web site.
- 4. Respondent agrees to pay within (60) days of the ratification of this Consent Order an administrative fee to the Board with a check for \$850 dollars made payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint.
- 5. Respondent hereby agrees to this reprimand on his physician assistant license.
- 6. Respondent agrees monitoring monthly by the Affiliated Monitors for duties corresponding to administrative functions as a Physician Assistant for 3 years.
- 7. Respondent agrees to successfully complete the CPEP Probe Course within 12 months of ratification of this order and cause results of this course sent to the Board within 30 days of completing this course.
- 8. Respondents license is on probation for 5 years and probation terminates without additional order from the Board 5 years after ratification.
- 9. Respondent's license is suspended for 1 year (suspension is stayed as long as conditions of this order are fulfilled).
- 10. In the event that any term of this Consent Order is violated, after it is signed and accepted, the Director of the Department of Health shall have the discretion to immediately suspend Respondent's license, and/or impose

further disciplinary action. If the Director suspends Respondent's license, and/or imposes further disciplinary action, Respondent shall be given notice and shall have the right to request a hearing within twenty (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, and/or impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

Signed this 15 day of Dec, 2017.


Paul Mallari P.A.

Ratified by the Board of Licensure of Physician Assistants on the 9th day of January ~~2017~~ 2018.


James V. McDonald, M.D., M.P.H.

Chief Administrative Officer Board of Licensure of Physician Assistants
Chief Administrative Officer Board of Medical Licensure and Discipline
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