

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



**IN THE MATTER OF:**

**Arnold Rosenbaum M.D.**

**License Number MD 04446**

**Controlled Substance Registration CMD 0446**

**BMLD Case Number: C19-0221**

**Immediate Suspension of Controlled Substance Registration**

Arnold Rosenbaum M.D., (hereinafter "Respondent") is licensed as a physician in Rhode Island. An investigation was conducted by the Board of Medical Licensure and Discipline (Board) regarding complaint C 180441 which was resolved by a Consent Order ratified by the Board on November 14<sup>th</sup>, 2018. The Director of Health make the following findings:

**FINDINGS OF FACT**

1. Respondent is a physician who has been licensed in Rhode Island since August 9<sup>th</sup>, 1972. Respondent has a license to practice medicine and a Controlled Substance Registration. Respondent's office is located at 65 Eddie Dowling Highway, North Smithfield, Rhode Island.
2. Respondent agreed to a Consent Order based on complaint C 180441 on 9 November 2018, that was ratified by the Board of Medical Licensure and Discipline on 14 November 2018.
3. Respondent agreed to specific conditions in the ratified Consent Order, including

monitoring and paying an administrative fee. Paragraph 6 in the ratified Consent Order states; *“Respondent will engage within 60 days of ratification of this Consent Order a Board approved monitor to review 5 medical records monthly for 12 consecutive months. Monitoring reports shall be sent to DOH.PRCCompliance@health.ri.gov no later than 15 days after the preceding 30 days of monitoring”.*

4. Upon routine compliance review, the Board has learned that Respondent has not retained a Board approved monitor and no monitoring reports have been sent to *DOH.PRCCompliance@health.ri.gov*.
5. Paragraph 8 of the ratified consent order states, *“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 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, or impose further discipline, for the remainder of Respondent’s probation period if any alleged violation is proven by a preponderance of evidence.”*
6. The Rhode Island Department of Health delivered by email (March 5<sup>th</sup>, 2019) and certified mail a Compliance Order, requiring Respondent to adhere to the previously ratified consent order from November 14<sup>th</sup>, 2018.
7. Respondent has still not provided evidence of Board approved monitoring as required in the November 14<sup>th</sup> ratified consent order.

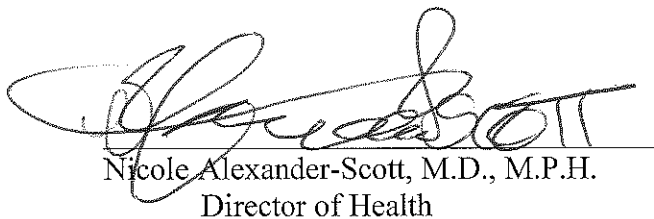
4. The Director alleges Respondent has violated Rhode Island General Law § 5-37-5.1 (24) *“Violating any provision or provisions of this chapter or the rules and regulations of the board or any rules or regulations promulgated by the director or of an action, stipulation, or agreement of the board;”*

#### **ORDER**

5. After considering the findings of the Board, regarding Arnold Rosenbaum M.D., and the subsequent ratified Consent Order, the Controlled Substance Registration of Respondent is suspended, effective 30 days after receipt of this order, as set forth below, until further order of the Director of the Department of Health. Respondent is granted the 30 days to develop a transition plan for his patients, so pain management is not disrupted for his patients.
6. Respondent is required to ensure appropriate continuity of care for his patients including ready access to medical records and appropriate referrals to qualified health professionals. Respondent shall notify any patient who has been prescribed an opioid in the previous 90 days by certified mail, that his controlled substance registration has been suspended and provide clear instructions for the patients on how to access qualified health care providers to ensure continuity of care. Respondent is immediately required to develop a smooth transition of care for any opioid dependent patient and will ensure that no patient who is opioid dependent (that is has been on an opioid for 30 or more days continuously) will be without medication due to his non-compliance resulting in this suspension. Respondent is required per 216-RICR-20-20-4 section J *Transition of Care for patients on long-term opioid therapy* to facilitate a safe transition of care and have

practitioner to practitioner contact regarding appropriate steps to prevent a disruption in the patient's continuity of care for pain management.

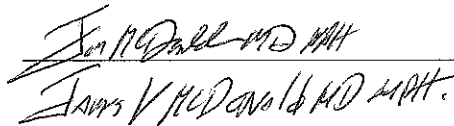
7. Respondent is allowed for a period of 90 days to continue to prescribe only controlled substances containing buprenorphine that are FDA approved to treat opioid use disorder. Respondent is not allowed to prescribe any other controlled substances. Prior to the end of this 90-day period, Respondent is required to develop and implement a transition plan, so patients do not have disruption in their care for opioid use disorder with medication assisted treatment. Respondent is required to notify any patient who has been prescribed buprenorphine in the previous 90 days that his controlled substance registration has been suspended and that Respondent will ensure patients have been transitioned to another qualified health care professional who is authorized to treat patients with buprenorphine for opioid use disorder.
8. Respondent is subject to further disciplinary actions as determined by the Board, including revocation based on non-compliance with the November 14, 2018 Consent Order.
9. The Respondent may request, in writing, an administrative hearing on this suspension, which will be conducted within (20) days of the Department's receipt of said written request for hearing.

  
Nicole Alexander-Scott, M.D., M.P.H.  
Director of Health

4/4/19  
Date

**CERTIFICATION**

I hereby certify that a copy of this **ORDER** was delivered to Arnold Rosenbaum M.D. via his attorney Brian Fielding Esq. on this 4th day of April, 2019.

  
James V. McDonald MD MPH