

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



**IN THE MATTER OF:**  
**Arnold Rosenbaum M.D.**  
**License Number MD 04446**  
**Case # 180441 & 190221**

**CONSENT ORDER**

The Rhode Island Board of Medical Licensure and Discipline (hereinafter "Board") has reviewed and investigated the above referenced complaint pertaining to Dr. Arnold Rosenbaum (hereinafter "Respondent") through its Investigative Committee.

**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, 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.PRCompliance@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.PRCompliance@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 14 November 2018.
7. Respondent did not provide evidence of Board approved monitoring as required in the November 14<sup>th</sup> ratified consent order and the Compliance Order noted above.
8. Since Respondent did not respond to the Compliance Order, the Director of Health issued an immediate suspension (with specific conditions) of Respondent’s Controlled substance Registration on April 4<sup>th</sup>, 2019, to ensure appropriate transition of care of patients taking

long term opioids.

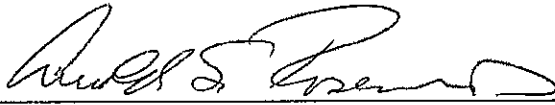
9. The Investigative Committee concluded Respondent has violated the terms of the ratified consent order.
10. Respondent violated Rhode Island General Laws, specifically, § 5-37-5.1 (24) *Violating any provision or provisions of this chapter or the rules and regulations of the board or any rules or regulations promulgated by the director or of an action, stipulation, or agreement of the board* sent order.

**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.
4. Respondent license is suspended for 2 years from ratification of this order. This suspension is stayed as long as Respondent meets the conditions set forth in this order.

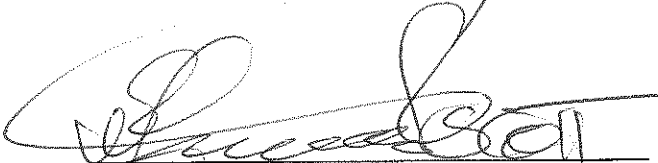
5. Respondent will fully cooperate with a Board approved monitor to review ten (10) medical records monthly for 24 consecutive months, culminating in a total of 24 reports to the Board. Monitoring reports shall be sent to [DOH.PRCCompliance@health.ri.gov](mailto:DOH.PRCCompliance@health.ri.gov) no later than 15 days after the preceding 30 days of monitoring.
6. Respondent shall have a Board approved monitor in place prior to ratification of this order.
7. Respondent agrees to pay upon ratification of this Consent Order an administrative fee to the Board with a check for \$1650 dollars made payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint.
8. Respondent attests to having cross coverage. Respondent shall not suddenly stop any patient on opioids, without establishing a practitioner to practitioner transition of care.
9. Any violation of this Consent Order will remove the stay of the 2 year suspension of Respondent's license noted in number 4 above.
10. If Respondent violates any term of this Consent Order, 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.

Signed this 2<sup>nd</sup> day of MAY 2019.



Arnold Rosenbaum M.D.

Ratified this 8<sup>th</sup> day of May 2019 by the Board of Medical Licensure and Discipline.



Nicole Alexander-Scott, M.D., M.P.H.

Director

Rhode Island Department of Health

3 Capitol Hill, Room 401

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