

RHODE ISLAND BOARD OF MEDICAL LICENSURE AND DISCIPLINE

IN THE MATTER OF:
Joseph M. Palumbo, DO
License No.: DO01071
Complaint No.: C23-1276

CONSENT ORDER

The Board of Medical Licensure and Discipline (“Board”) makes the following:

FINDINGS OF FACT

1. Joseph M. Palumbo, DO (“Respondent”) has been licensed to practice medicine in the State of Rhode Island since September 28, 2022.
2. On or about December 5, 2023, the Board received notice of a November 15, 2023 Consent Order by the Virginia Board of Medicine. The Virginia Board of Medicine found that Respondent violated Virginia Code §§ 54.1-2915(A)(3), (11), (13), (17), and (18), 54.1-3303(B) and 54.1-3408(B) and 18 VAC 85-20-29(A)(1) of the Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry and Chiropractic in that as the medical director of certain intravenous vitamin infusion facilities, specifically the Drip Bar RVA, located in Richmond, Virginia; the Prime IV Hydration and Wellness/Hydrate 757, located in Norfolk, Virginia; and Precious Pure IV Hydration, located in Hampton, Virginia; and as the owner of a *locum tenens* agency that employed physicians, physician assistants and nurse practitioners to provide medical services to these facilities, he aided and abetted the unlicensed practice of medicine when he allowed unsupervised staff to perform discretionary duties requiring the exercise of medical professional judgment. The Virginia Board of Medicine also found that Respondent violated Virginia Code § 54.1-2915(A)(3), (13), (16) and (18) and 18 VAC 85-20-400(B) of the Virginia regulations by permitting employees of the aforesaid facilities to compound medications and administer intravenously those compounded solutions without

ensuring that personnel were trained in the practices and principles of disinfection techniques, aseptic manipulations, and solution compatibility and, further, by implementing verification procedures and written policies to be followed in mixing the sterile products and trainings of personnel. The Virginia Board of Medicine assessed a penalty of \$5,000.

3. The Investigative Committee of the Board met on February 28, 2024, and, upon review of the State of Virginia Board of Medicine Consent Order, found that Respondent had violated R.I. Gen. Laws § 37-5-5.1(21) which states in pertinent part that any “disciplinary action against a licensed or authorization to practice medicine in another state” constitutes unprofessional conduct.

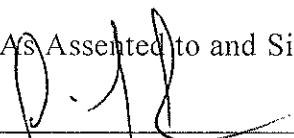
Based upon the foregoing, the Parties agree as follows:

1. Respondent admits to and agrees to remain under the jurisdiction of the Board.
2. Respondent agrees to this Consent Order and understands that it is subject to final approval by the Board and is not binding on Respondent until final ratification.
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 reported to the National Practitioner Data Bank and Federation of State Medical Boards and posted to the RI DOH public website.

4. The Board hereby issues an order of reprimand on Respondent's license to practice medicine in the State of Rhode Island. Respondent shall pay administrative fees in the amount of \$1,100.00. The administrative fees must be paid within six (6) months of the ratification of this Consent Order and shall be made payable to the Rhode Island General Treasurer, and delivered to the Rhode Island Department of Health, 3 Capitol Hill, Room 205, Providence, RI 02908, Attn. Jessica DeSanto. Respondent will send notice of compliance of this condition to DOH.PRCCompliance@health.ri.gov within thirty (30) days of submitting the above-referenced payment.

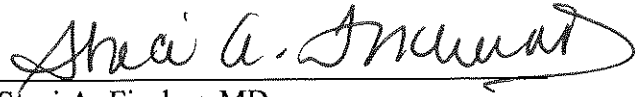
5. In the event that any term of this Consent Order is violated, after ratification and approval, the Board or its Director shall have the discretion to impose further disciplinary action pursuant to R.I. Gen. Laws §§ 5-37-5.1 through 5-37-6.3. If the Board or its Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of further discipline. The Board or its 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. Any administrative hearings, whether initiated by the Board or the Respondent, shall be conducted in accordance with R.I. Gen. Laws §§ 5-37-5.1 through 5-37-6.3 or R.I. Gen. Laws §§ 5-37-8 and 42-35-14(c), the Rules and Regulations for the Licensure and Discipline of Physicians (216-RICR-40-05-1), the Rules and Regulations for Practices and Procedures Before the Rhode Island Department of Health (216-RICR-10-05-4), and applicable provisions of R.I. Gen. Laws Chapter 42-35-1 *et seq.*

As Assented to and Signed this 1 day of November 2024.



Joseph M. Palumbo, DO

Ratified by the Board of Medical Licensure and Discipline on the 13th day of
November 2024.



Staci A. Fischer, MD
Chief Administrative Officer
Rhode Island Board of Medical Licensure and Discipline