

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

C96-272

In the matter of:
Stephen J. Petteruti, D.O.

CONSENT ORDER

A complaint was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as the "Board") alleging Stephen J. Petteruti, D.O., Respondent, violated §5-37-5.1(30) of the General Laws of the State of Rhode Island, 1956, as amended, (1995 Reenactment). An investigation was conducted by Investigating Committee I, so called, of the Board.

The following constitutes the Investigating Committee's Investigative Findings with respect to the professional actions of the Respondent.

Investigative Findings

1. The Respondent was the primary care physician for a female patient. He discovered a large fibroid tumor in her abdomen and referred her for surgical intervention. The surgery was successful and the Respondent visited the patient in the hospital post surgically. During that

time she revealed to him that she was having marital difficulties.

2. The Respondent and the patient engaged in a consensual sexual relationship after a series of meetings outside the office.

3. During the time period that this matter was under investigation, the Board learned that the Respondent had engaged in boundary violations with two other patients during the same time period.

4. The Board of Medical Licensure and Discipline finds the Respondent guilty of "unprofessional conduct" for violating §5-37-5.1(30) for sexual contact between a doctor and a patient during the existence of the doctor/patient relationship.

The parties agree as follows:

(1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, osteopathic license No. 413. Respondent's business address is 470 Tollgate Road, Warwick, R.I.

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee I of the Board and is subject to the final approval of the

Board. This Consent Order is not binding on respondent until final ratification by the Board.

(4) 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 in 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 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;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(6) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.

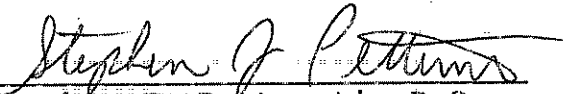
(8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

(9) The Respondent voluntarily surrenders his license to practice medicine in the State of Rhode Island. The Respondent shall sign a contract with the Physician's Health Committee of the Rhode Island Medical Society. The Respondent shall submit to evaluation and treatment as is necessary or


determined by his evaluators. The Respondent shall submit his evaluation, treatment and discharge summary along with a report from his evaluators to the Board within thirty (30) days of his return to Rhode Island. The Investigating Committee shall review the reports and consider terms under which the Respondent may return to the practice of medicine.

(10) The Respondent shall pay an Administrative Fee of One Thousand Dollars (\$1,000) Dollars to the Board within sixty days of ratification of this Consent Order.

Signed this 17th day of November 1997.


Stephen J. Petteruti, D.O.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on December 10, 1997.


Patricia A. Nolan MD, MPH
Director of Health, Chairperson
Board of Medical Licensure and
Discipline