

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



Afshin Nasseri, M.D.
License Number MD10174
Complaint Numbers C19-0220

CONSENT ORDER

Afshin Nasseri, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island (although license is currently suspended). The Rhode Island Board of Medical Licensure and Discipline (hereinafter "Board") has reviewed and investigated the above referenced complaint pertaining to Respondent through its Investigative Committee.

Respondent has an extensive history of prior disciplinary action with the Board. A Consent Order, pursuant to which Respondent voluntarily surrendered his license due to health issues, was ratified by the Board June 13, 2007. He was subsequently reinstated with a new Consent Order October 10, 2007. Respondent's license was summarily suspended August 22, 2011, and then reinstated with probation by separate Consent Order, January 26, 2012. The January 26, 2012 Consent Order was amended and restated November 15, 2012. A further, separate Consent Order was ratified on August 12, 2015 based on complaint C13-173. Another Consent Order was ratified August 10, 2016 based on complaint C15-1282. Respondent's license was suspended again on February 2, 2017 based on complaint C16-1526. After hearing on the summary suspension, Respondent's license was subsequently suspended for two years, retroactive to February 4th, 2017.

FINDINGS OF FACT

1. Respondent is a physician who was initially licensed as a physician in Rhode Island on October 5, 1999. His business address is 300 Tollgate Road, Suite 101(b), Warwick, RI 02886. He graduated from Universidad Eugenio Maria De Hostos in 1993.
2. Respondent agreed to a Consent Order, based on complaint C15-1282, which was ratified by the Board on August 10, 2016.
3. During a routine compliance audit conducted on February 21, 2019, it was discovered that Dr. Nasserri had not paid the \$1300 Administrative Fee he agreed to pay pursuant to the above-referenced August 10, 2016 Consent Order relating to case C15-1282. The fee had been due on or before October 9th, 2016.
4. In relevant part, Respondent agreed in the ratified Consent Order of August 10, 2016 to the following:

“(3) Acceptance of this Consent Order constitutes an admission by Respondent of the Finding of Facts set forth herein and admission that the 2012 Consent Order was violated, which also is a violation RIGL Section 5-37-5.1(24), and Respondent is reprimanded by the Board with respect to such violations.

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

(5) Failure to comply with this Consent Order, when signed and accepted, may subject Respondent to further disciplinary action. Specifically, Respondent's failure to comply with this Consent Order may result in his immediate suspension from the practice of medicine.....

(7) *Respondent shall pay Board [a] fee of \$1300 within 60 days of ratification of this order."*

5. Respondent was required to pay an administrative fee of \$1300 within 60 days of the ratified order.
6. The Investigative Committee concluded Respondent did not pay the required administrative fee in the agreed upon time frame and therein violated the terms of the August 10, 2016 Consent Order. However, when Respondent was notified that the administrative fee was outstanding, he made arrangements for it to be paid immediately.

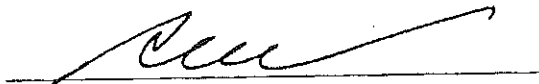
Based on the foregoing, the parties agree as follows:

1. Respondent admits to and hereby agrees to remain under the jurisdiction of the Board.
2. Respondent has read this Consent Order and understands that it is a proposal and is subject to the final approval of the Board. This Consent Order becomes a public document and effective the day it is approved by the Director.
3. 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 may be presented to the Board;
 - h. Any objection to the fact that potential bias against the Respondent may occur as a result of any presentation of this Consent Order including the facts, findings and conclusions set forth therein.
4. This Consent Order shall become part of the public record of this proceeding once it is approved by the Board, and it shall be reported to the National Practitioner Data Bank and the Federation of State Medical Boards and posted on the Rhode Island Department of Health web site.
5. If Respondent violates any term of this Consent Order, the Director of the Department of Health ("Director") shall have the discretion to impose further disciplinary action, including further 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 20 days of the suspension and/or further discipline. The Director 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 licensure period, if any alleged violation is proven by a preponderance of the evidence
6. Respondent's license is suspended for ninety (90) days from the Effective Date.
7. Respondent agrees to submit within (60) days of the ratification of this Consent Order, an administrative fee to the Board with a check for \$850 made payable to


the Rhode Island General Treasurer for administrative fees relevant to this matter that have been incurred up until this point. Respondent will send notice of compliance with this condition to DOH.PRCOMPLIANCE@health.ri.gov within 30 days of mailing the above-referenced payment.

Signed this 6th day of June 2019.

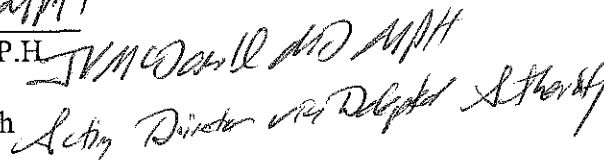


Afshin Nasseri, M.D.

Approved this 12th day of June, 2019 ("Effective Date").



Nicole Alexander-Scott, M.D., M.P.H.
Director of Health
Rhode Island Department of Health
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Three Capitol Hill
Providence, RI 02908



Jim McDonald, M.D., MPH
Acting Director *via Delegation Authority*