

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



IN THE MATTER OF:
Alexander Calenda, MD
License No.: MD 06025
Case No.: C190710

CONSENT ORDER

Alexander Calenda, MD ("Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline ("Board") makes the following

FINDINGS OF FACT

1. Respondent has been a licensed physician in the State of Rhode Island since June 16, 1982.
2. Respondent graduated from the University of Lisbon School of Medicine on June 1, 1979.
3. The Board received notice of settlement of a malpractice suit against Respondent in which Respondent had been alleged to have failed to diagnose hyperparathyroidism in Patient A (alias).
4. Respondent was the attending physician for Patient A, who presented to Respondent for treatment of kidney stones.
5. The Investigative Committee reviewed Respondent's written response to the complaint against him, as well as Respondent's medical record for Patient A. Respondent appeared before

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the Investigative Committee on November 27, 2019 and addressed the Investigative Committees concerns.

6. The Investigative Committee retained a Board-certified urologist to review the medical record and opine on this matter. The expert concluded, *"In my opinion the record fails to meet the standard for sufficient information."*

7. The Investigative Committee concluded that Respondent violated Section 1.5.12(D) of the Rules and Regulations for the Licensure and Discipline of Physicians (216-RICR-40-05-1), on "Medical Records." - and that, therefore, Respondent violated R.I. Gen. Laws § 5-37-5.1(24), which defines "unprofessional conduct" as including, *"[v]iolating any provision or provisions of [R.I. Gen. Laws Chapter 5-37] or the rules and regulations of the [B]oard or any rules or regulations promulgated by the director [of the Rhode Island Department of Health ("RIDOH")] ("Director") or of an action, stipulation, or agreement of the [B]oard."*

Based on the foregoing, the parties agree as follows:

1. Respondent admits to and agrees to remain under 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 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;

- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review; and
- h. Any objection that this Consent Order will be reported to the National Practitioner Data Bank and Federation of State Medical Boards and posted to the RIDOH public website.
4. Respondent agrees to pay, within five days of the ratification of this Consent Order, an administrative fee of \$850.00 for costs associated with investigating the above-referenced complaint. Such payment shall be made by certified check, made payable to "Rhode Island General Treasurer," and sent to Rhode Island Department of Health, 3 Capitol Hill, Room 205, Providence, RI 02908, Attn: Lauren Lasso. Respondent will send notice of compliance with this condition to DOH.PRCCompliance@health.ri.gov within 15 days of submitting payment.
5. Respondent agrees to this reprimand on his physician license.
6. Respondent shall, at his own expense, successfully complete CME credits in Medical Documentation within seven months of ratification of this order. The credits to be completed by Respondent shall be approved by the Board of Medical Licensure and Discipline. Respondent will send notice of compliance with this condition to DOH.PRCCompliance@health.ri.gov within 15 days of completing the course.
7. In the event that Respondent violates any term of this Consent Order after it is signed and accepted, the Director shall have the discretion to impose further disciplinary action, including immediate suspension of Respondent's medical license. If the Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative hearing within 20 days of the suspension and/or further discipline. The 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. The Board may suspend Respondent's license, or

impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

[SIGNATURE PAGE FOLLOWS]

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Signed this 1 day of 6, ~~2019~~ 2020
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Alexander Calenda MD
Alexander Calenda, MD

Ratified by the Board of Medical Licensure and Discipline on the 8th day of January 2020.



Nicole Alexander-Scott, MD, MPH
Director
Rhode Island Department of Health
3 Capitol Hill, Room 401
Providence, RI 02908