

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



IN THE MATTER OF:
Anthony Rocha, MD
License No.: MD 05196
Case No.: C190825

AMENDED AND RESTATED CONSENT ORDER

Anthony Rocha, MD (“Respondent”) is licensed as a physician in Rhode Island. This amended and restated consent order restates the April 8, 2020 Consent Order entered into by and between the Rhode Island Department of Health (“RIDOH”) Board of Medical Licensure and Discipline (“Board”) and Respondent. This amended and restated consent order memorializes that, since the execution of the April 8, 2020 Consent Order, Respondent has chosen not to retire and, at the request of the Board, has successfully completed a Board approved CME.

The Board makes the following:

FINDINGS OF FACT

1. Respondent has been a licensed physician in the State of Rhode Island since June 22, 1977. Respondent graduated from Brown University School of Medicine.
2. The Board received complaint 190825, which alleged that Respondent inappropriately prescribed clonazepam—a controlled substance classified as a benzodiazepine—to Patient A (alias).

3. Respondent was the attending physician for Patient A, who presented to Respondent for treatment of multiple medical problems, including: anxiety, depression, and other chronic diseases.

4. The Investigative Committee reviewed Respondent's written response and Respondent's medical record for Patient A. Respondent appeared before the Investigative Committee on January 2, 2020 and addressed the Investigative Committee's concerns.

5. The Investigative Committee found that Respondent's medical record for Patient A was difficult to review because of its lack of required content. The Investigative Committee noted, specifically, that the "history of present illness" and interval histories were scant and did not provide enough detail to follow the progress of Patient A.

6. The Investigative Committee concluded that Respondent violated Section 1.5.12(D) of the Rules and Regulations for Licensure and Discipline of Physicians (216-RICR-40-05-1), on "Medical Records." The Investigative Committee further concluded that Respondent's violation of the above-referenced statute constitutes "unprofessional conduct" as defined in R.I. Gen. Laws §§ 5-37-5.1(19) and (24).

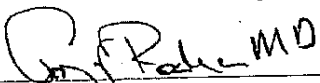
Based on the foregoing, the parties agree as follows:

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 \$1090.00 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. At the Board's request, Respondent agreed to and has successfully completed the Case Western Reserve University Intensive Course in Medical Documentation.
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

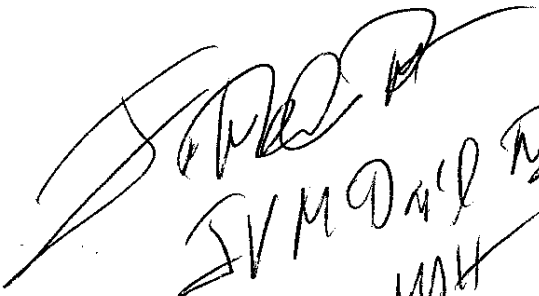
impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

Signed this 21 day of July, 2020.


Anthony Rocha, MD

Ratified by the Board of Medical Licensure and Discipline on the 12th day of Sept, 2020.

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


IVM D'Almeida
MSH