

RHODE ISLAND BOARD OF MEDICAL LICENSURE AND DISCIPLINE

IN THE MATTER OF:  
David J. Heffernan, M.D.  
License No.: MD12524  
Complaint No.: C24-0021

**CONSENT ORDER**

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

**FINDINGS OF FACT**

1. David J. Heffernan, M.D. (“Respondent”) has been licensed to practice medicine in the State of Rhode Island since October 10, 2007.
2. On or about November 28, 2023, the Executive Committee for the Medical Staff of the U.S. Department of Veteran Affairs Medical Center located in Providence, Rhode Island (“Veteran Affairs Medical Center”) permanently reduced Respondent’s surgery privileges due to a standard of care assessment.
3. The Investigative Committee for the Board met on June 26, 2024, and, in reciprocity to the actions taken against Respondent by the Providence Veteran Affairs Medical Center, found that Respondent violated R.I. Gen. Laws § 37-5-5.1(21) which states, in pertinent part, that the “surrender, revocation, suspension, or any other disciplinary action relating to a membership on any medical staff” shall constitute grounds for disciplinary action by the Board.

**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. Respondent is hereby issued a reprimand on his Rhode Island license and shall pay administrative fees in the amount of \$1,100.00. No corrective actions or courses are imposed. 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](mailto: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 the Director of the Department of Health (“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 the 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 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. 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 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 15<sup>th</sup> day of November 2024.

David J. Heffernan  
David J. Heffernan, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 11<sup>th</sup> day of

December 2024.

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