



**STATE OF RHODE ISLAND  
RHODE ISLAND DEPARTMENT OF HEALTH**

**NICOLE ALEXANDER-SCOTT, M.D., M.P.H.,  
IN HER CAPACITY AS DIRECTOR OF THE  
RHODE ISLAND DEPARTMENT OF HEALTH**

**IN THE MATTER OF:  
Francis G. D'Ambrosio M.D.  
Unlicensed physician in Rhode Island  
California license Number G73590**

**NOTICE OF VIOLATION AND COMPLIANCE ORDER**

Now comes the Director (the "Director") of the Rhode Island Department of Health ("RIDOH") and, pursuant to R. I. Gen. Laws § 23-1-20, determines there are reasonable grounds that Francis G. D'Ambrosio M.D. ("Respondent") is in violation of law and or rule or regulation administered by her, and provides notice thereof.

**REASONABLE GROUNDS FOR DETERMINATION OF VIOLATION**

1. Respondent is a physician licensed in the state of California, certificate G73590.
2. Respondent is not licensed to practice medicine in Rhode Island, nor has Respondent ever applied for a Rhode Island physician license.
3. Respondent has a history of three previous disciplinary actions regarding his physician license in other jurisdictions; Nevada, Voluntary Surrender of License June 3, 2002, New York, 5 years' probation April 22, 2003, New York promise not to activate or renew based on California action 9/17/2007.
4. The Board of Medical Licensure and Discipline received a complaint from the medical

director of the Rhode Island Department of Corrections (RIDOC) regarding Respondent. Complainant avers, Respondent does not have a license to practice medicine in the state of Rhode Island and the Department of Corrections has 10 individuals who are on home confinement with California Medical Marijuana cards. These individuals are on electronic monitoring and have not left the state of Rhode Island to obtain these medical cannabis cards from California.

5. On July 1, 2019, Rhode Island Department of Health Investigator contacted and interviewed Patients A, B, C, D, E, F and G (alias'). All patients were known to be on home confinement with the RIDOC at the time their medical cannabis cards were issued. All seven patients obtained their medical cannabis cards via telemedicine using an online portal, Nugg MD. (Which is Ninjatech Incorporated d/b/a Nugg ("Nugg, MD") and D'Ambrosio Medical Group, Inc.)
6. The seven individuals stated they filled out an account and medical questionnaire. These individuals report within a day or two they received a telephone call from a California phone number from a representative of Nugg, MD, who went over the questions that they responded to on the questionnaire. Two individuals stated the consultation was a female representative, the other 5 a male, yet none of the 7 could recall the name of the representative. Some of the individuals stated they assumed it was the doctor that signed their California medical cannabis card. The seven individuals never meet with Dr. Francis G D'Ambrosio in his California office. The transaction took place through the internet using online site Nugg, MD, with a follow up telephone call.
7. Five of the seven individuals interviewed stated that they never sent medical records to Nugg, MD, with the account questionnaire. Two individuals stated that they took a picture of their medical record and sent them to Nugg, MD.
8. Respondent signed the California medical cannabis card of patients A, B, C, D, E, F, G.

9. Respondent is not registered to use the Rhode Island Prescription Drug Monitoring Program.

#### ALLEGED VIOLATION(S)

1. Based upon the foregoing, it is alleged Respondent is practicing medicine in Rhode Island without a license and in violation of § RIGL 5-37-1 (15) *"Practice of medicine" includes the practice of allopathic and osteopathic medicine. Any person is regarded as practicing medicine within the meaning of this chapter who holds himself or herself out as being able to diagnose, treat, operate, or prescribe for any person ill or alleged to be ill with disease, pain, injury, deformity or abnormal physical or mental condition, or who either professes to heal, offer or undertake, by any means or method to diagnose, treat, operate, or prescribe for any person for disease, pain, injury, deformity or physical or mental condition. In addition, one who attaches the title, M.D., physician, surgeon, D.O., osteopathic physician and surgeon, or any other similar word or words or abbreviation to his or her name indicating that he or she is engaged in the treatment or diagnosis of the diseases, injuries or conditions of persons shall be held to be engaged in the practice of medicine.*
2. It is alleged Respondent is in violation of 216-RICR-20-10-3 Medical Marijuana Program 3.4.3 F. *The certifying practitioner must have a current license to practice medicine, as specified in § § 3.3(A)(21) of this Part, and current DEA registration and appropriate state controlled substance registration.*


3. It is alleged Respondent is in violation of 216-RICR-20-10-3 Medical Marijuana Program  
3.4.3 G. *Before issuing a written certification, a certifying physician must review the Rhode Island Prescription Drug Monitoring Program, review the patients' prescription history and make a judgement about the potential for drug interaction, adverse events or untoward clinical outcome from adding medical marijuana.*

**ORDER**

Upon determinations as set forth above: on or before tenth (10th) day from service of this Notice of Violation and Compliance Order, Respondent shall remedy the above-cited violations and come into full compliance with applicable law by, at a minimum, fulfilling the conditions set forth below:

1. Respondent shall cease and desist all and any practice of medicine in Rhode Island without a Rhode Island Physician license and applicable controlled substance registration.

Entered this 9<sup>th</sup> day of July, 2019

  
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Nicole Alexander-Scott, M.D., M.P.H.  
Director  
Rhode Island Department of Health  
Cannon Building, Room 401  
Three Capitol Hill  
Providence, RI 02908

A written request for a hearing may be filed with the Director within ten (10) days of this Notice of Violation and Compliance Order.

**CERTIFICATION OF SERVICE**

A copy of the within Notice of Violation and Compliance Order was delivered to Respondent by the certified mail to Respondent on this 9th day of JULY, 2019:

Francis G. D'Ambrosio M.D.  
22603 Pacific Coast Highway, #793  
Malibu, California 90265

*Francis G. D'Ambrosio M.D.*  
*James V. McDermott M.D. MPH*