

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

No. C96-014

In the matter of:
John Sappington, M.D.

CONSENT ORDER

Pursuant to Section 5-37-5.2 of the General Laws of the State of Rhode Island, 1956, as amended, a notification of Suspension was filed by the State of New York with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging John Sappington, M.D., Respondent, with violations of Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended. An investigation was conducted by the Board.

The following constitutes the Investigating Committee's Findings of Fact with respect to the professional performance of the Respondent.

Findings of Fact

1. On or about December 4, 1995, the Respondent's license to practice medicine in the State of New York was suspended by Summary Order.

2. Certain charges were filed by the State of New York on December 4, 1995 that alleged, inter alia, a dependence upon controlled substances and making false statement on various applications for licensure and/or privileges.

3. In lieu of a hearing on the charges, the Respondent entered into an agreement to surrender his license with the State of New York, Department of Health, on December 23, 1995 admitting that his ability to practice medicine was impaired.

4. Subsequently, the Respondent's license to practice medicine was Summarily Suspended by the State of Rhode Island due to inaccurate statements made on the State of Rhode Island application for licensure and for actions in the States of New York and in Rhode Island that constitute an immediate danger to the public health.

The parties agree as follows:

(1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license number 9034 and Limited License number 0015879.

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(3) Respondent has read this Consent Order and

understands that it is a proposal of Investigating Committee II of the Board and is subject to the final approval of the Board. This Consent Order is not binding on respondent until final ratification by the Board.

(4) 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 will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as

a result of the presentation of this
Consent Order.

(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(6) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board. It shall be published as the Board, in its exercise of its discretion, shall determine.

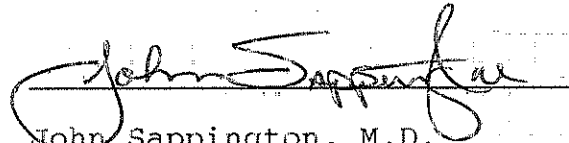
(8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further

disciplinary action.

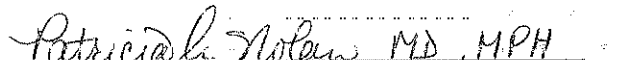
(9) The Board of Medical Licensure and Discipline finds the Respondent to be in violation of Rhode Island General Laws 5-37-5.1(5) and 5-37-5.1(21) for "unprofessional conduct."

(10) The Respondent voluntarily surrenders licenses, MD 9034 and training license 0015879.

Signed this 12th day of MARCH 1996.


John Sappington, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on 13 March 1996.


Patricia A. Nolan, M.D., M.P.H.
Chairperson
Board of Medical Licensure and
Discipline