

and destruction of property.

involving property damage, not possessing vehicle registration, breaking and entering a building, the influence of alcohol, negligent operation of a motor vehicle, leaving the scene of an accident (Massachusetts) Police charged Respondent with six offenses: operating a motor vehicle under On February 11, 2017, prior to the completion of the five-year probation, Seekonk while in treatment with the Physician's Health Committee of the Rhode Island Medical Society. 2. On February 12, 2007, the Board placed Respondent on probation for a five-year period

School.

Barrington, Rhode Island. Respondent is a 1999 graduate of the Robert Wood Johnson Medical primary specialty is family practice. Respondent's office was last located at 310 Maple Avenue, 1. Respondent was licensed as a physician in Rhode Island on February 12, 2003. His

**FINDINGS OF FACT**

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

**CONSENT ORDER AND REINSTATEMENT**

**IN THE MATTER OF:  
Joseph F. Grillo, MD  
License No.: MD 11095  
Case No.: C110125**



3. On February 22, 2011, pursuant to Respondent's arrest and charging, the Director ("Director") of the Rhode Island Department of Health ("RIDOH") summarily suspended Respondent's physician license and controlled substance registration ("License"). Respondent later pleaded guilty to driving under the influence. He was fined and ordered to pay restitution for damage he had caused.
4. Respondent violated R.I. Gen. Laws § 5-37-5.1(5), which defines "unprofessional conduct," as including "[d]ependence upon controlled substances, habitual drunkenness, or rendering professional services to a patient while the physician or limited registrant is intoxicated or incapacitated by the use of drugs."
5. Following the above-referenced suspension of his License, Respondent continued to work with the Physicians Health Program ("PHP") for nearly three years to address concerns relative to the events that precipitated the February 2011 suspension.
6. In 2013, Respondent approached the Board for reinstatement of his License. Respondent produced to the Board substantial evidence of remission. Accordingly, on January 8, 2014, Respondent's License was reinstated pursuant to a Consent Order, signed by Respondent, which included, among other conditions, the requirement that Respondent continue to follow the recommendations of the PHP.
7. On October 7, 2015, the PHP notified the Board that Respondent was not fully compliant with PHP contract and that patient safety was at risk.
8. On October 13, 2015, Respondent met with the Board and, again, surrendered his License.
9. Respondent failed to comply with the terms of the January 8, 2014 Consent Order. The Investigative Committee concluded, therefore, that Respondent had violated R.I. Gen. Laws § 5-

37-5.1(24), which defines "unprofessional conduct" as including, "Violating any provision or provisions of this chapter or the rules and regulations of the board or any rules or regulations promulgated by the director or of an action, stipulation, or agreement of the board."

11. Now, Respondent has approached the Board for reinstatement of his License and, to that end, has produced to the Board substantial evidence of remediation. Respondent has been in continuous treatment for his underlying conditions with appropriate health care professionals.

12. Respondent has completed a forensic psychiatry evaluation pursuant to which he has been determined fit to practice. Respondent has also engaged in a rigorous monitoring program to verify and maintain his current status of clinical recovery.

13. Respondent has also submitted satisfactory evidence of clinical competence by maintaining Board Certification by the American Board of Internal Medicine and providing evidence of successfully completing substantial CME.

**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 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 RIDOH public website.

4. Respondent agrees to pay, within 180 days of the ratification of this Consent Order, an administrative fee of \$1700.00 for costs associated with investigating the above-referenced complaint. Such payment shall be 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](mailto:DOH.PRCCompliance@health.ri.gov) within 30 days of submitting the above-referenced payment.

5. Respondent's License is reinstated with the following conditions:

- a. Respondent shall check the PDMP prior to prescribing any controlled substance to any patient.
- b. Respondent's license is on probation for 10 years.
- c. Respondent must practice only in a licensed health care facility, of which facility he may not be the sole physician.
- d. Respondent, at this own expense, shall engage the services of a Board approved monitor, and shall cause such monitor to review ten of Respondent's medical records each month for 12 consecutive months. If, after no fewer than three months, the monitor's reviews of Respondent's medical records reveal that such medical records are satisfactory, Respondent may request that monitoring continue for the remainder of the 12 month period on a quarterly basis. Results of

compliance with their program.

6. Respondent understands that the PHP will notify the Board of any breach in his

applies for a license to practice medicine anywhere in the world.

j. Respondent shall notify the Board of any change in employment and if he

i. Respondent shall continue to utilize Soberlink®.

days and obtain an approved plan for compliance.

shall contact the Board for approval of any vacation > 14 consecutive calendar

h. Respondent shall not have excessive use of vacation time; Respondent

and the PHP.

provide documentation of the medical need for his absence to both his provider

event Respondent is unable to attend a scheduled appointment, Respondent must

g. Respondent shall have no missed treatment provider appointments. In the

substantive changes in his treatment.

medicine physician, and psychiatrist and shall notify the Board and/or PHP of any

f. Respondent continue treatment with his primary care physician, addition

years, which recommendations are incorporated herein by reference.

Physician Health Program ("PHP") and shall follow their recommendations for 10

e. Respondent shall be monitored by the Rhode Island Medical Society

full month restored to practice.

report must be received no later than 15 days after the close of Respondent's first

of the preceding month or, if applicable, quarter. Respondent's first monitoring

DOH.PRCCompliance@health.ri.gov no later than 15 calendar days after the close

the medical record reviews shall be sent to the Board at

Providence, Rhode Island 02908

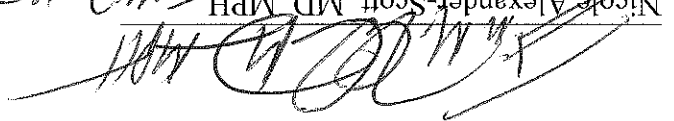
3 Capitol Hill, Room 401

Rhode Island Department of Health

Director

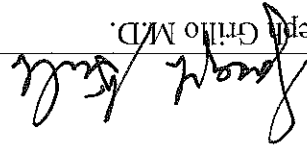
Nicole Alexander-Scott, MD, MPH

*Nicole Alexander-Scott, MD, MPH*



Ratified by the Board of Medical Licensure and Discipline on the 11<sup>th</sup> day of March, 2020.

Joseph Grillo M.D.



Signed this 24 day of February, 2020.

of evidence.

7. In the event that any term of this Consent Order is violated, after it is signed and accepted, the Director shall have the discretion to impose further disciplinary action. 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 Administrative Hearing Officer 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