

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



IN THE MATTER OF:
Joseph Rodgers M.D.
License # MD 10279
Controlled Substance Registration # CMD 10279
Complaint # C170852

CONSENT ORDER

The Rhode Island Board of Medical Licensure and Discipline (hereinafter "Board") has reviewed and investigated the above referenced complaint pertaining to Dr. Joseph Rodgers (hereinafter "Respondent") through its Investigative Committee.

FINDINGS OF FACT

1. Respondent is a licensed physician in Rhode Island and was issued his license March 17th, 2000. He is board certified in Family Medicine and has completed a fellowship in Addiction Medicine. Respondent's practice is located at 75 Sockanosset Cross Road, Cranston, Rhode Island.
2. An investigation by the Board involving a single patient with a complex history treated by Respondent for an extended period of time revealed concern about Respondent's documentation relating to the prescription of a controlled substance to treat acute pain on one occasion.
3. Respondent was attending physician for Patient A, who was being treated by Respondent for opioid use disorder since January of 2015. Patient A was treated with buprenorphine and was on consistent doses of two 8mg daily (160 morphine milligram equivalents ("MME") per day).
4. Patient A presented to Respondent on 1/12/16 with a chief complaint of a possible rib

fracture with reported considerable pain of the flank, arm, and hand. An examination by Respondent was consistent with a probable left rib fracture. Patient A was to return to the health care facility where she initially reported after her injury, as well as follow up with Respondent in one month. Patient A was seen at the other health care facility thereafter, and she was diagnosed with an acute injury, and prescribed fifteen tablets of Percocet® (30 MME per day) and told to stop her prescription of buprenorphine by the other prescriber. Patient A was re-evaluated by Respondent 1/19/2016, three days after her appointment with the other health care facility, during a phone encounter. Patient A reported she was in severe opiate withdrawal, her pain had increased, and she was given the aforementioned Percocet® and had stopped her buprenorphine. Respondent prescribed two five-day supplies of oxycodone, an opioid, to Patient A.

5. The medical record did not reveal documentation of patient education regarding this opioid medication in particular the specific requirements for a patient with a prior history of substance dependence.
6. Respondent violated Rules and Regulations for Pain Management, Opioid Use and the Registration of Distributors of Controlled Substances in Rhode Island R-21-28 section 3.4.

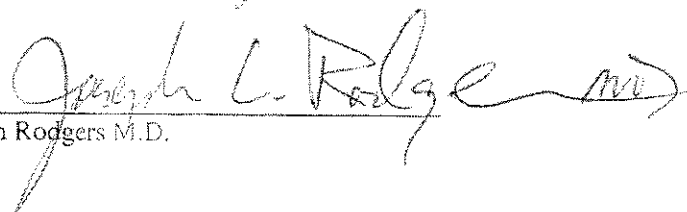
Based on the foregoing, the parties agree as follows:

1. Respondent admits to 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 this Consent Order 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; and
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.
 - h. Any objection that this Consent Order will be reported to the National Practitioner Data Bank, Federation or State Medical Boards as well as posted on the department's public web site.
4. Respondent hereby agrees to this reprimand on his physician license.
 5. Respondent hereby agrees to successfully complete a Board approved Continuing Medical Education course including such courses offered by Vanderbilt University Medical Center, Case Western Reserve University School of Medicine, University of Florida College of Medicine, or University of California San Diego School of Medicine. This course shall be completed within six months of ratification of this order.
 6. Respondent agrees to pay within (60) days of the ratification of this Consent Order an administrative fee to the Board with a check for \$850 dollars made payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint. Respondent will send notice of compliance with this condition to DOH.PRCOMPLIANCE@health.ri.gov within 30 days of mailing the above referenced payment.
 7. If Respondent violates any term of this Consent Order, after it is signed and accepted, the Director of the Department of Health shall have the discretion to impose further disciplinary action, including immediate suspension of license. If the Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request a hearing within twenty (20) days of the suspension and/or further discipline. The Director of the Department of Health shall also have the discretion to request a 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 any alleged violation is proven by a preponderance of evidence.

Signed this 7th day of June, 2018.


Joseph Rodgers M.D.

Ratified this 13th day of June, 2018 by the Board of Medical Licensure and Discipline.


Nicole Alexander-Scott, M.D., M.P.H.
Director
Rhode Island Department of Health
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Providence, Rhode Island 02908