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

IN THE MATTER OF:
Mark Brody, MD
License No.: MD 08028
Case No.: 201841, 210009

SURRENDER OF LICENSE

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

FINDINGS OF FACT

1. Respondent graduated from Columbia University College of Physicians and Surgeons in 1986. Respondent's license was issued on July 16, 1991. Respondent lists his specialty with the Rhode Island Department of Health ("RIDOH") as Psychiatry.

2. On March 15, 2021, Respondent executed a consent order relative to Complaint No. 201841, which consent order was ratified by the Board on April 14, 2021 ("First Consent Order"). Pursuant to the First Consent Order, Respondent agreed to a formal reprimand being made against his physician license and, among other things, to "successfully pass the CPEP Probe course . . . by the end of 2021 (or by the scheduled completion time of the first available course, if the first-available course is not scheduled to complete within 2021). Respondent did not successfully pass CPEP Probe on his first attempt in

September of 2021. The First Consent Order provided that Respondent's failure to satisfy this requirement "shall result in the suspension of Respondent's license effective January 1, 2022."

3. On June 25, 2021, Respondent executed a subsequent consent order relative to Complaint No. 210009, which consent order was ratified on July 14, 2021 ("Second Consent Order"). Pursuant to the Second Consent Order, Respondent agreed to the suspension of his license for five years, with the provision that all but six weeks of the suspension would be stayed "provided Respondent registers for an evaluation of his clinical competency by Center for Personalized Education for Physicians ("CPEP") or Lifeguard Physician Services ("Lifeguard") within 90 days of the ratification of [the Second Consent Order]." Among other things, Respondent also agreed to "complete an additional 80 hours of Category 1 approved CME within 12 months of ratification of [the Second Consent Order]." Respondent has not satisfied the conditions of this requirement thus far.

4. In lieu of satisfying the foregoing and other requirements contained in the First and Second Consent Orders, Respondent now wishes to surrender his physician license.

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 ("Third 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 Third Consent Order;

g. Any objection to the fact that this Third Consent Order will be presented to the Board for consideration and review; and

h. Any objection to the fact that this Third 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. Upon execution of this Third Consent Order, Respondent agrees not to present himself as a physician, not to use the professional designation or post-nominal letters "M.D.," "MD," or any permutation thereof, in any advertising, description, or presentation of himself to anyone. Respondent further agrees not to change his legal name to include the professional designation or post-nominal letters "M.D.," "MD," or any permutation thereof. Respondent further agrees to cease entirely, and refrain from all further engagement in, the practice of medicine.

5. Respondent may have his license reinstated without further order of the Board if, within 12 months of the ratification of this Third Consent Order, Respondent demonstrates by proof acceptable to the Board that he has met all outstanding requirements of the First and Second Consent Order. Otherwise, Respondent shall be required to reapply for

licensure and seek approval of the Board for reinstatement. Respondent agrees not to seek reinstatement until such time that he is able to present proof of having met all outstanding requirements of the First and Second Consent Order.

6. Respondent agrees that, in the event he seeks reinstatement or reapplies for licensure, any recommendations of CPEP or Lifeguard, as applicable, shall be reasonably incorporated into the terms of Respondent's reinstatement or relicensure.

7. Respondent further agrees that, in the event Respondent is reinstated or relicensed, such reinstatement or relicensure would be subject to the balance of the stayed five-year suspension Respondent agreed to pursuant to the Second Consent Order.

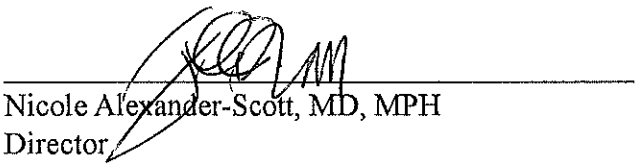
8. Respondent agrees to shall pay, within five days of the ratification of this Third Consent Order, an administrative fee of $350.00 for costs associated with processing this Third Consent Order in connection with Complaint Nos. 201841 and 210009. Such payment shall be made by certified check, made payable to "**Rhode Island General Treasurer,**" and sent to Rhode Island Department of Health, 3 Capitol Hill, Room 205, Providence, RI 02908, Attn: Jessica DeSanto. Respondent will send notice of compliance with this condition to within 30 days of mailing the above-referenced payment.

Signed this 15th day of November, 2021.

Mark Brody, MD

Mark Brody, MD

Ratified by the Board of Medical Licensure and Discipline on the 8th day of December, 2021.



Nicole Alexander-Scott, MD, MPH
Director
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