

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS, Board of
Medical Licensure and Discipline Dr Michael Lee C14-868 C15-472

STATE OF RHODE ISLAND
DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE AND DISCIPLINE

IN THE MATTER OF:

In the matter of:
MICHAEL LEE, M.D.
License Number MD 13800
Complaint Number C14-868, C15-472

CONSENT ORDER

Michael Lee, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island and is licensed to prescribe controlled substances under Rhode Island General Laws chapter 21-28, having both a state Controlled Substances Registration and a Federal Drug Enforcement Administration Registration to prescribe controlled substances. After reviewing the above-referenced complaints, and substantive new evidence about efforts made by Respondent to ameliorate the conditions cited in the complaint, the Board makes the following:

FINDINGS OF FACT

1. Respondent has been licensed as a physician in Rhode Island since June 6, 2008. He is a 2008 graduate of the Brown School of Medicine
2. A report was made to the Board indicating that Respondent's health condition was interfering with his ability to treat patients in October, 2014. Respondent had taken a leave of absence from his employer.

STATE OF RHODE ISLAND & Providence Plantations, Board of Medical
Licensure and Discipline Dr Michael Lee C14-868 C15-472

3. Respondent agreed to enter into a Voluntary Agreement Not to Practice Medicine November, 12th, 2014.
4. Respondent had attended treatment at an appropriate facility and continued with treatment with the Rhode Island Physicians Health Program (PHP). Respondent had earned their endorsement to return to the practice of medicine and Respondent's license was reinstated by the Board in March of 2015.
5. The Board was notified May 19th, 2015, that respondent had violated the terms of the prior consent order. Respondent admits to a relapse of his condition and admits that he attempted to circumvent a requested test to avoid detection. Upon being confronted with his actions, he acknowledged his actions and entered into a Voluntary Agreement Not to Practice Medicine.
6. Respondent has continued with the Physicians Health Program as well as his own treating clinicians. The Physicians Health Program has had regular and substantial oversight of Respondent's treatment and has submitted a letter supporting Respondent's return to practice. Respondent also submits a statement from a colleague endorsing his return to the practice of medicine. Respondent's treating clinicians also endorse Respondent's return to practice of medicine. Respondent has also changed several aspects of his life and external influences that in concert with the above are expected to minimize further chance of relapse.
7. The Respondent's acts constituted a civil violation of Rhode Island General Laws § 5-37-5.1(5).

STATE OF RHODE ISLAND & Providence Plantations, Board of Medical
Licensure and Discipline Dr Michael Lee C14-868 C15-472

Based on the foregoing, the parties agree as follows:

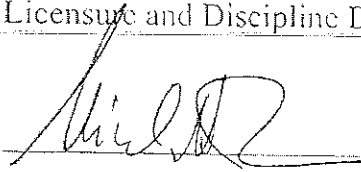
1. Respondent admits to the jurisdiction of the Board.
2. Respondent has agreed to this Consent Order and understands that it is subject to final approval of the Board, and this Consent Order is not binding on Respondent until final ratification by the Board.
3. If ratified by the Board, Respondent hereby 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;
 - 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 order will be presented to the National Practitioner Data Bank, the Federation of State Medical Boards and posted on the Rhode Island Department of Health web site.
4. Respondent shall continue his relationship with the Physicians' Health Program until the PHP deems it complete.

STATE OF RHODE ISLAND & Providence Plantations, Board of Medical
Licensure and Discipline Dr Michael Lee C14-868 C15-472

5. Respondent's licenses to practice medicine and controlled substance registration are reinstated and unrestricted, once renewal fee is paid.
6. Respondent will review the Prescription Drug Monitoring program prior to prescribing a controlled substance to any patient.
7. The Respondent agrees to this reprimand on his physician license.
8. Respondent agrees to pay an administrative fee to the Board for costs associating with investigating this complaint. Respondent shall submit to the Board within sixty (60) days a check made payable to the Rhode Island General Treasury for the amount of \$850.00.
9. In the event that any term of this Consent Order is violated, after signed and accepted, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license and/or impose further disciplinary action. If the Director suspends the license and/or imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative 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 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 of evidence.

Signed this 9th day of August, 2016.

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Licensure and Discipline Dr Michael Lee C14-868 C15-472



Michael Lee, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 10th day of August
2016.



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