

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



IN THE MATTER OF:
Robert Gordon M.D.
License # MD 04002
Controlled substance registration CMD 04002
Complaint # C18-0152

CONSENT ORDER

Robert Gordon M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island. An investigation was conducted by the Board of Medical Licensure and Discipline (Board) regarding complaint C170480 which was resolved by a Consent Order ratified by the Board on November 8th, 2017. The Board and the Director of Health make the following findings:

FINDINGS OF FACT

1. Respondent is a licensed physician in Rhode Island and was issued his license on July 24th, 1968.
2. Respondent agreed to a Consent Order based on complaint # C17080 which was ratified by the Board on November 8th, 2017. In the ratified Consent Order, paragraph 7 & 8 state
*"Respondent will check the PMP before prescribing any controlled substance.
Respondent will send to the Board monthly summaries of his controlled substance prescribing from the PMP".*
3. Respondent has prescribed controlled substances as evidenced by review of the PMP, on

12 separate occasions to 11 different individuals and has not checked the PDMP. Respondent has also not sent in monthly summaries of controlled substance prescribing as agreed upon in the previously ratified order.

- 4) The ratified Consent Order (regarding complaint C17080) stipulates in paragraph 9, *“If any term of this Consent Order is violated, after it is signed and accepted, the Director of the Department of Health 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 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.”*
- 5) Accordingly, on April 2, 2018, the Director issued a Suspension against Dr. Gordon’s controlled substance registration and his license to practice medicine. However, the suspension on Dr. Gordon’s license to practice medicine was stayed on the condition he attend CPEP by October 2, 2018.
- 6) Respondent has subsequently attended CPEP and obtained CME satisfactory to the Board.
- 7) Respondent has violated Rhode Island General Law § 5-37-5.1 (24) *“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;”*

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 of State Medical Boards as well as posted on the department's public web site.
4. Respondent agrees to pay upon ratification of this Consent Order an administrative fee to the Board with a check for \$1050 dollars made payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint.
5. Respondent hereby agrees to surrender his controlled substance registration and not seek renewal thereof.
6. If any term of this Consent Order is violated, after it is signed and accepted, the Director of the Department of Health shall have the discretion to impose further

WILLIAM J. BURKE

141 POWER ROAD, SUITE 106
PAWTUCKET, RHODE ISLAND 02860

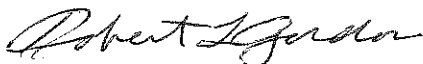
TEL: (401) 725-1900
FAX: (401) 728-3361

disciplinary action. If the Director imposes further disciplinary action,

Respondent shall be given notice and shall have the right to request a hearing

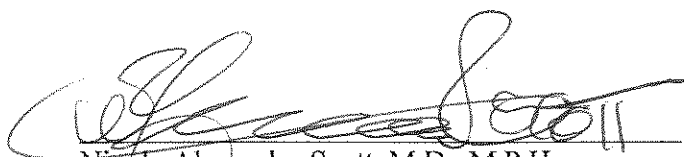
within twenty (20) days of the suspension and/or further discipline. The Director of the Department of Health shall also have the discretion to request a hearing after notice to Respondent of a violation of any term of this Consent Order. The Board may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if any alleged violation is proven by a preponderance of evidence.

Signed this 11th day of August, 2018.



Robert Gordon, M.D.

Ratified this 12th day of September 2018 by the Board of Medical Licensure and Discipline.



Nicole Alexander-Scott, M.D., M.P.H.
Director
Rhode Island Department of Health
3 Capitol Hill, Room 401
Providence, Rhode Island 02908