

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

IN THE MATTER OF:

WILLIAM BRADEN, M.D.

License Number MD04690

Controlled Substances Registration Number CMD04690

Case No. C12-090

AMENDED CONSENT ORDER

William Braden, 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 21-18, having both a state Controlled Substances Registration and a Federal Drug Enforcement Administration Registration to prescribe controlled substances. The investigating committee found the following:

FINDINGS OF FACT

1. Respondent is a licensed physician in Rhode Island. He was born in 1943 and has a medical degree from Harvard Medical School. Respondent maintains a medical office located at 345 Blackstone Boulevard, Providence, RI. His primary specialty is psychiatry and he has admitting privileges at Butler Hospital in Providence.
2. An investigation by the Rhode Island Department of Health in 2013 revealed multiple areas of concern with Dr. Braden's practice including frequent instances of early renewal or controlled substances, failure to adequately chart, failure to utilize pain-management agreements with patients using controlled substances, acceptance of previously dispensed medications from patients.

3. The Respondent's acts constituted a civil violation of Rhode Island General Laws § 5-37-5.1(19) for civil violation of state laws concerning standards of practice and prescribing of controlled substances.
4. Respondent's subsequent remedial actions led to his Controlled Substance Registration reinstatement on June 12, 2013 with the exception he would not prescribe narcotics to new patients.
5. The purpose of this amendment is to allow Respondent to prescribe Buprenorphine in compliance with established federal regulations for patients with narcotic addiction. There is no new disciplinary action, nor is this current action considered adverse.

The parties agree as follows:

1. Respondent admits to the jurisdiction of the Board.
2. Respondent has agreed to this Amended Consent Order and understands that it is subject to final approval of the Board, and this Amended 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.
4. Respondent understands this is a public action, reportable to other entities including but not limited to, Board of Medical Licensure and Discipline web site, Federation of State Medical Boards (FSMB) and National Practitioner Data Bank (NPDB).
 5. Respondent shall be allowed to prescribe Buprenorphine drugs when used to treat narcotic addiction. Respondent will not prescribe Buprenorphine solely for pain control. Regarding all prescriptions for controlled substances, he shall document and specify which diagnosis or diagnoses that support each controlled substance prescription, shall maintain a narcotics log for each such patient, shall perform toxicology screening of any such patient who exhibits drug-seeking behavior or repeated early pharmacy requests for controlled substances; and shall require any patient who has a controlled narcotic substance prescription to have it filled at a Rhode Island pharmacy only. Respondent agrees to utilize the Prescription Monitoring Program (PMP) to monitor his patients' use of controlled substances and monitor patient's utilization specifically not to refill patient's medications early.
 6. Respondent agrees to prescribe narcotic controlled substances only for patients under his care at the time of ratification of this agreement by the Board. He will not accept new pain management patients, nor will he write prescriptions for narcotic controlled substances, except for Buprenorphine drugs when used to treat narcotic addiction, for any new patients after the ratification date.

7. Respondent shall for a period of at least twelve (12) months and not to exceed 24 months retain and cooperate with Board approved monitor for the purpose of monitoring narcotic prescribing practices and documentation. Respondent agrees to submit at least ten patient charts per session to Board approved monitor for review, agrees to meet in person as required by Board approved monitor, and agrees to submit to any other monitoring that Board approved monitor feels is appropriate and needed. Respondent agrees that Board approved monitor will submit quarterly reports to the Board after receipt of the November, 2013 report, and may converse with the Board or its representative at any time regarding his monitoring of Respondent. Assuming reports are favorable, Board approved monitoring will end in June, 2014.
8. Respondent will remain on probation for two years following ratification of this order by the Board in June of 2013.
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

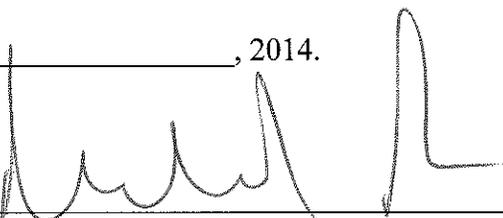
further discipline, for the remainder of Respondent's licensing period if the
alleged violation is proven by a preponderance of evidence.

Signed this 26th day of February, 2014.



William Braden, M.D.

Ratified by the Board of Medical Licensure and Discipline on the _____ day of
_____, 2014.



Michael Fine, M.D.
Director of Health