

COPY

BOARD OF CHIROPRACTIC PHYSICIANS

**In the matter of:
Eugene Ouellette, DC
License number: DCP 00253**

Reinstatement Order

On 26 August 1999, Eugene Ouellette (Petitioner) agreed to voluntarily surrender his license to practice chiropractic medicine in the State of Rhode Island and a finding of unprofessional conduct. The Petitioner's voluntary surrender of his license was based upon the Rhode Island Department of Health (Department) and the Board of Chiropractic Physicians' (Board) initiation of reciprocal disciplinary action against the Petitioner given that the Petitioner voluntarily surrendered his license in the State of Massachusetts because of an established record of substance abuse in that state. The Consent Order signed by the Petitioner mandated that the Petitioner might reapply for licensure in Rhode Island upon showing that he is eligible to reapply for licensure in Massachusetts and demonstrating a level of recovery acceptable to the Board. The Petitioner provided documentation dated 27 June 2001 that he had been accepted into the Massachusetts Professional Recovery System (MPRS) and would be signing a Treatment Contract with MPRS. The Petitioner made written representations dated 22 October 2001 that he could sign a contract with MPRS once his license was reinstated. Additionally, documentation dated 25 October 2001, signed by John Femino, MD of the Meadows Edge Recovery Center (Meadows Edge) states that the Petitioner will sign a treatment contract with Meadows Edge, and

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that Meadows Edge will monitor and provide reports on the progress of the Petitioner to the Board. Further, the Petitioner was notified by letter, dated 24 January 2002, that the Board would consider recommending re-licensure when the Petitioner successfully completes Part IV of the National Board of Chiropractic Examiners' (NBCE) Examination. By letter dated 11 July 2003, Petitioner has indicated that he has passed Part IV of the NBCE examination and that an official transcript would be sent to the Board. The Department received the transcript on 18 July 2003.

The following are the Board's Findings of Fact and Conclusions of Law:

- (1) The Board of Chiropractic Physicians finds that the Petitioner has completed the initial required phase of his evaluation and treatment.
- (2) The Petitioner shall sign and abide by the five (5) year Treatment Monitoring Contract offered by Meadows Edge Recovery Center. Additionally, the Petitioner must participate in each and every treatment activity described in Dr. Femino's letter of 25 October 2001, and comply with any other recommendation of that professional group.
- (3) The Petitioner shall ensure that Meadows Edge Recovery Center provides reports on a quarterly basis to the Board on the progress, or lack thereof, of the Petitioner's treatment for the entire 5 years the Treatment Monitoring Contract is in effect. It shall be the sole responsibility of the Petitioner to ensure that Meadows Edge Recovery Center provides the quarterly reports.
- (4) The Petitioner shall submit to all laboratory testing required by Meadows Edge Recovery Center, his treatment providers and/or the Board. The Petitioner must complete a request for a random urine screen within 12

hours of the request. A failure to do so will be considered a positive test.

Each test result shall be reported to the Board.

- (5) Petitioner agrees to continue with each aspect of the after care recommendations and requirements. For the purpose of this Reinstatement Order, all recommendations shall be considered Board requirements for the resumption of the practice of chiropractic. Petitioner hereby waives any rights he may have regarding the recommendations of treatment providers, the Meadows Edge Recovery Center or the Board.
- (6) The Respondent agrees to waive all rights to confidentiality of his assessment, treatment records and recommendations in favor of the Board, even though these records may be protected by federal and state laws.
- (7) It is the sole responsibility of the Respondent to insure that each and every aspect of this Reinstatement Order and the Agreements with the Meadows Edge Recovery Center are fulfilled. A failure to fulfill these agreements may result in the suspension of the license to practice chiropractic.

Signed this 6th day of August, 2003.

Eugene Ouellette, D.C.
Eugene Ouellette, DC

Ratified by the Board of Chiropractic Physicians at a meeting held on 18 July, 2003.

Allen Sowa, D.C. by Beverly McPherson
C. Allen Sowa, DC
Chairman, Board of Chiropractic Physicians
legal
counsel

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

DEPARTMENT OF HEALTH
DIVISION OF PROFESSIONAL REGULATION
BOARD OF CHIROPRACTORS

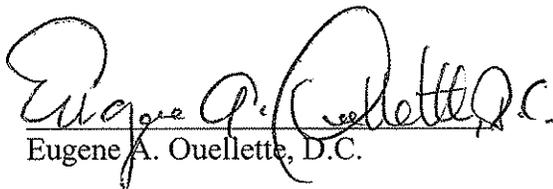
IN THE MATTER OF
EUGENE A. OUELLETTE, D.C.

CONSENT ORDER

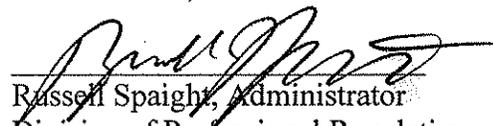
This matter is before the Rhode Island Department of Health, Division of Professional Regulation, Board of Chiropractors (hereinafter "Board") upon allegations that Eugene A. Ouellette (hereinafter "Respondent") did engage in gross misconduct in the practice of your profession by establishing a repeat record of substance abuse in the State of Massachusetts. Based upon the multiple allegations documented by the Massachusetts Board of Registration of Chiropractors and the Respondent's voluntary surrender of license in that state, the Rhode Island Board of Chiropractic Examiners initiated an administrative hearing to take reciprocal disciplinary action in requesting the voluntary surrender of the Respondent's license in Rhode Island. There is an established practice of reciprocal disciplinary action in the state of Rhode Island. A 1998 case disbarred a Rhode Island lawyer based on his disbarment in the state of Massachusetts resulting from a finding of guilt after a trial before a jury of the crimes for which he had been convicted and disciplined.

Prior to the hearing, the parties agreed as follows:

1. That Respondent shall agree to voluntarily surrender his license, and a finding of unprofessional conduct as it relates to the aforementioned conduct.
2. That this Consent Agreement constitutes a final disposition of the matters forming the basis for this Agreement and obviates the necessity of an administrative hearing.
3. The Respondent may reapply for licensure in Rhode Island upon a showing that he is eligible to re-apply for licensure in Massachusetts and the Respondent has demonstrated a level of recovery acceptable to the Board.


Eugene A. Ouellette, D.C.

For the Board,


Russell Spaight, Administrator
Division of Professional Regulation

DATE: 26 AUGUST 1999