

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

**IN THE MATTER OF:**

**Frank Maggiacomo, D.O.**

**License Number DO 00383**

**BMLD Case Number C15-545**

**CONSENT ORDER**

Frank Maggiacomo D.O. (hereinafter "Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline (hereinafter the "Board") through its investigating committee voted to find Respondent had committed unprofessional conduct and made the following:

**FINDINGS OF FACT**

1. Respondent has been a licensed physician in the State of Rhode Island since June 14<sup>th</sup>, 1989. Respondent's office is located at 1681 Cranston Street, Suite D, Cranston, Rhode Island, and his primary specialty is Internal Medicine, in which he has been board certified since 2006.
2. Respondent is the physician for "Patient A" who has multiple medical problems, including opioid dependence.
3. Respondent treated "Patient A" with methadone in 2008 and conducted an in person office visit every 6 months, and supplied new prescriptions for methadone every 2 weeks.
4. Respondent's medical record did not contain documentation of evidence of

standards to prevent diversion of methadone.

5. Respondent was unaware prescribing methadone outside of a methadone treatment program was a violation of state and federal law.
6. Respondent is in violation of Rhode Island General Laws § 5-37-5.1(19) for failure to conform to the minimal standards of acceptable and prevailing medical practice.

**Based on the foregoing, the parties agree as follows:**

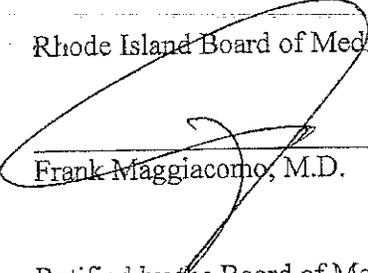
1. Respondent admits to the jurisdiction of the Board;
2. Respondent has reviewed this Consent Order and understands that it is subject to final approval of the Board; and this Consent Order is not binding on Respondent until final ratification by the Board;
3. If ratified by the Board, Respondent hereby 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;

Rhode Island Board of Medical Licensure & Discipline C15-545

- 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 will be reported to the National Practitioner Data Bank, Federation of State Medical Board or posted on Rhode Island Department of Health web site.
4. Respondent agrees to this Reprimand by the Board based on the above findings.
  5. Respondent shall submit to the Board a check payable to the Rhode Island General Treasury in the amount of \$650.00 within 60 days of ratification of this order, as an administrative fee in resolving the above-referenced complaint.
  6. Respondent will attend within 9 months of ratification of this order The CPEP: Prescribing Controlled Drugs: Critical Issues and Common Pitfalls©
  7. In the event that any conditions of this Consent Order are 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 suspends such license, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of any violation of this Consent Order.

Signed this 2 day of <sup>May</sup>~~January~~, 2016.

Rhode Island Board of Medical Licensure & Discipline C15-545

  
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Frank Maggiacomo, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 11 day of May,  
2016.

  
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(Delegated)