

State of Rhode Island and Providence Plantations Department of Health
Board of Medical Licensure & Discipline

IN THE MATTER OF:
GEORGE PASQUARELLO, D.O.
License Number DO 00566
BMLD Case Number C16-472



CONSENT ORDER

Respondent is a licensed physician in Rhode Island and was issued his license on October 8th, 2003. His primary specialty is neuro-musculoskeletal Medicine/Osteopathic Manipulative Medicine. His Practice is located in East Greenwich, Rhode Island. The Board of Medical Licensure and Discipline (hereinafter the "Board") through its investigating committee was notified of the above matter from Respondent's notification to the hospital when the error occurred. The Board reviewed the above matter and make's the following:

FINDINGS OF FACT

1. Respondent has been a licensed physician in the State of Rhode Island since October, 2003.
2. Respondent was the attending physician for Patient A (*alias*).
3. Patient A presented to Kent County Memorial Hospital in May of 2015 for an elective LEFT sided L5 (Lumbar) and S1 (sacral) transforaminal epidural injection.

State of Rhode Island and Providence Plantations Department of Health
Board of Medical Licensure & Discipline

4. Time Out was done for Patient A preoperatively in the Pre-op area and again in the Operating room. All members of the team did not participate in the Time Out, rather were drawing up medications and other preparations for the planned procedure. Respondent did mark the correct (LEFT) side, yet draped and prepped the incorrect (RIGHT) side.
5. The procedure was subsequently carried out on the RIGHT side (which was the incorrect side) and the Consent form was amended after the procedure to indicate what was done, and to confirm the patient was informed and made aware of which side was done.
6. Patient A was informed immediately of the error and suffered no subsequent complications. Patient A returned at a later date and had the procedure completed from the respondent on the left side.
7. Respondent did promptly notify the appropriate authorities in the hospital that the error occurred.
8. Respondent failed to follow universal protocol and performed a "wrong site procedure"
9. Respondent is in violation of Rhode Island General Laws § 5-37-5.1 (19).

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

State of Rhode Island and Providence Plantations Department of Health
Board of Medical Licensure & Discipline

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 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 \$850.00 within 60 days of ratification of this order, as an administrative fee in resolving the above-referenced complaint.

State of Rhode Island and Providence Plantations Department of Health
Board of Medical Licensure & Discipline

6. Respondent will attend within 9 months of ratification of this order a Board approved course of 8 hours Category One CME on topics related to Patient Safety in Procedures, or Universal Protocol, or avoiding wrong site procedures.

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 impose further disciplinary action. If the Director 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 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 Board may impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence. Said administrative hearing, whether initiated by the Director or the Respondent, shall be conducted in accordance with Rhode Island Gen. Laws §§ 5-37-5.2(e)(3) through 5-37-6.3, R5-37-MD/OD (R.I.Admin.Code section 31-5-41:14.0), R42-35-PP (R.I.Admin.Code section 31-1-15:2.0) and applicable provisions of RIGL Chapter 42-35. Any discipline ultimately imposed pursuant to this paragraph is appealable pursuant to Rhode Island Gen. Laws §§ 5-37-7 and 42-35-15 .Signed this

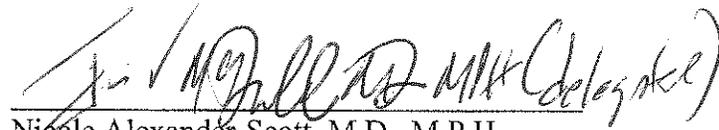
8th day of NOVEMBER, 2016.



George Pasquarello, D.O.

Ratified by the Board of Medical Licensure and Discipline on the 9 day of November, 2016.

State of Rhode Island and Providence Plantations Department of Health
Board of Medical Licensure & Discipline



Nicole Alexander-Scott, M.D., M.P.H.

Director of Health

Rhode Island Department of Health

Cannon Building, Room 401

Three Capitol Hill

Providence, RI 02903

Tel. (401) 222-2231

Fax (401) 222-6548