

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

**In the matter of:**

**AFSHIN NASSERI**

**License #: MD 10174**

**C11-647**

**C11-709**

**AMENDED AND RESTATED CONSENT ORDER**

The Board of Medical Licensure and Discipline (hereinafter "Board") received information that alleged that Afshin Nasser, MD (hereinafter referred to as the "Respondent") has violated Section 5-37-5.1 of the R.I. General Laws, 1956, as amended. The Board and Respondent entered into a Consent Order dated January 26, 2012 (the "Consent Order"). The Board and Respondent now desire to amend and restate the terms of the Consent Order by entering into this Amended and Restated Consent Order.

The Finding of Facts set forth in the Consent Order are hereby incorporated into this Amended and Restated Consent Order.

**The parties hereby agree as follows:**

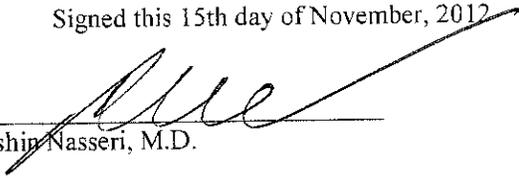
Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board, subject to the conditions set forth below.

- (1) Respondent has read this Amended and Restated Consent Order and understands that it is a proposal of an Investigating Committee of the Board and is subject to the final approval of the Board. This Amended and Restated Consent Order is not binding on Respondent until final ratification by the Board.
- (2) Respondent hereby acknowledges and waives:
  - a. The right to appear personally or by counselor before the Board;
  - b. The right to produce witnesses and evidence in 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 as specifically contained herein;

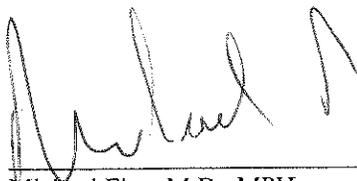
- f. Any and all rights of appeal of this Amended and Restated Consent Order;
  - g. Any objection to the fact that this Amended and Restated Consent Order will be presented to the Board for consideration and review;
  - h. Any objection to the fact that it will be necessary for the Board (but not the Board members appointed to the Hearing Panel by the Hearing Officer) to become acquainted with all evidence pertaining to this matter in order to review adequately this Amended and Restated Consent Order; and
  - i. Any objection to the fact that potential bias against Respondent may occur as a result of the presentation of this Amended and Restated Consent Order.
- (3) This Amended and Restated Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.
- (4) Failure to comply with this Amended and Restated Consent Order, when signed and accepted, may subject Respondent to further disciplinary action.
- (5) The Board hereby approves the following monitoring and reporting plan, which shall be in effect for a five (5) year probationary period commencing on January 26, 2012, the date of the Consent Order. Respondent may continue his private practice of internal medicine subject to the following requirements: (i) Respondent shall refrain from ordering, possessing, or administering any injectable sedatives or hypnotics to patients at his private practice, medical office; and (ii) Respondent shall retain an employee with experience auditing patient medical records, consistent with a proposal as approved in advance by the Board, the employee will provide medical chaperone and practice monitoring services to the Respondent's practice (the "Services") for a period of (5) years, commencing on January 26, 2012, and the requirement for the Services may be lifted upon request by Respondent and approval of the Board. Any subsequent change in Respondent's practice in Rhode Island or the scope of this Amended and Restated Consent Order will be subject to the Board's prior written approval.

- (6) All terms and conditions of the Consent Order by and between the Board and Respondent dated January 26, 2012, that are not explicitly amended herein shall remain in full force and effect.

Signed this 15th day of November, 2012

  
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Afshin Nasseri, M.D.

Signed this 28 day of November, 2012.

A handwritten signature in black ink, appearing to read "Michael Fine", written over a horizontal line.

Michael Fine, M.D., MPH  
Director of Health