

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

DEPARTMENT OF HEALTH

**BOARD OF MEDICAL
LICENSURE AND DISCIPLINE**

IN THE MATTER OF:

Afshin Nasser, M.D.

License Number MD10174

Complaint Numbers C13-173

CONSENT ORDER

Afshin Nasser, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline (hereinafter the "Board") found after the investigative committee's review of the complaint, the records, and the Respondent's written reply to the complaint that this matter should be resolved with a Consent Order. The Board makes the following:

FINDINGS OF FACT

1. Respondent is a physician who has been licensed in Rhode Island since October 5, 1999. His business address is 300 Tollgate Road, Suite 101(b), Warwick, RI 02886. He graduated from Universidad Eugenio Maria De Hostos in 1993.
2. Respondent had an established physician-patient relationship with Patient A since 2008. Respondent avers he saw the patient three times in the office and the patient canceled appointments frequently. Respondent further states Patient A did not have required labs and follow up office appointments.
3. Patient went to the pharmacy to pick up a refill and was told by the pharmacy

technician that Respondent had called and told pharmacy staff to relay this message "find another doctor" because the patient did not keep her appointments..

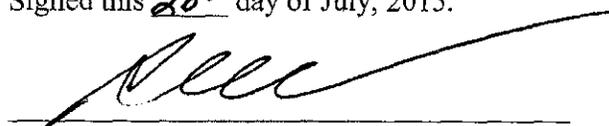
4. Respondent admits to that he told the pharmacy that he would not refill a prescription for 90 days as the patient had not had required labs or kept office appointments but he prescribed one month medications for purposes of continuity of care for the patient.

Based on the foregoing, the parties agree as follows:

1. Respondent admits to the jurisdiction of the Board.
2. Respondent has agreed to 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; and
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.

4. Respondent agrees to pay within sixty (60) days of the ratification of this Consent Order an administrative fee to the Board with a check for \$600 dollars made payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint.
- ~~5. Respondent agrees to complete the Board approved course within 12 months of ratification of this order and to forwarding results of the course to the Board.~~
6. Respondent hereby agrees to a reprimand on his physician license.
7. 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 20th day of July, 2015.



Afshin Nasser, M.D.

Ratified by the Board of Medical Licensure and Discipline on the _____ day of August, 2015.

Nicole Alexander-Scott

2/12/15

Nicole Alexander-Scott, M.D., M.P.H.
Director
Rhode Island Department of Health
