

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

**In the matter of:  
AFSHIN NASSERI  
License #: MD 10174**

**C15-1282**

**CONSENT ORDER**

The Board of Medical Licensure and Discipline (hereinafter "Board") received information that alleged that Afshin Nasseri, MD (hereinafter referred to as the "Respondent") has violated Section 5-37-5.1 of the R.I. General Laws, 1956, as amended. An Investigating Committee of the Board was convened to investigate these allegations. The following are the Findings of Fact of the Investigating Committee:

**FINDING OF FACTS**

1. Respondent is a physician licensed to practice in Rhode Island since 1999. He is a 1993 graduate of University Eugenio María de Hostos Medical School in the Dominican Republic.
2. Respondent entered into a Consent Order with the Board dated January 26, 2012 (the "2012 Consent Order") pursuant to which the Respondent could continue to practice medicine subject to certain conditions set forth in the Consent Order. Specifically, the Consent Order stated: *"Respondent shall not perform any physical examination of female patient without the documented and signed presence of an adult chaperone."*
3. The Board received a complaint from one of his patients who went to his office for a follow up appointment on February 18, 2014. While waiting in the waiting room for her appointment the Patient became extremely distressed. A member of Dr. Nasseri's staff escorted her to the exam room where she informed the Chaperone that she wanted to be seen alone.

4. Respondent and the Chaperone informed the Patient that this was not possible, but Patient insisted on being seen alone and would not calm until allowed to do so.
5. The Respondent obtained Patient's written consent to be seen outside the immediate physical presence of a Chaperone. Respondent then asked the Chaperone to stand just outside the exam room door and to leave the door ajar.
6. The Respondent saw the patient under the circumstance described above.
7. The Board and the Respondent agree that Respondent's previous Consent Order required that female patients cannot be examined without the documented presence of a Chaperone.

**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 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 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 Consent Order;
  - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;

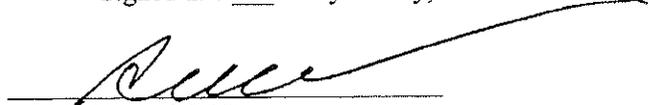


documentation of every chaperoned encounter and shall provide the Board with a monthly summary of same. (iii) Chaperone shall provide Respondent with a copy of all records, reports, or other documentation that it generates.

Any subsequent change in Respondent's practice in Rhode Island or the scope of this Consent Order will be subject to the Board's prior written approval.

- b. Respondent shall not perform any physical examination of female patient without the documented and signed presence of an adult chaperone.
- (7) Respondent shall pay Board of fee of \$1300 within 60 days of ratification of this order.
- (8) The Board finds that Respondent's license to practice medicine remains valid upon execution of this Consent Order but such validity is contingent upon and subject to the restrictions contained herein.

Signed this 28th day of July, 2016

  
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Afshin Nasseri, M.D.

Signed this 10th day of July, 2016.

  
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Nicole Alexander-Scott MD, MPH  
Chair, BMLD, Director of Health  
3 Capitol Hill, Room 401  
Providence, Rhode Island 02908