

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

No. C07-098

IN THE MATTER OF ANDREW C. STONE, M.D., M.P.H.

CONSENT ORDER

The Rhode Island medical license of the Petitioner, Andrew C. Stone, M.D., M.P.H., was revoked in 2008. In the Consent Order revoking his license, the Board advised the Petitioner that if, after at least five years, he could "make a substantial showing of remediation," he could apply for readmission.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Petitioner has presented substantial evidence of remediation. He has spent three months of in-patient treatment and evaluation at the Sante Center for Healing in Argyle, Texas; he has spent almost seven years of continuous participation in the treatment and monitoring program of the Physicians Health Committee ("PHC"), under the aegis of which he has spent hundreds of hours in group therapy, individual psychotherapy and psychiatric treatment by providers selected and monitored by the PHC.
2. The PHC has recommended the Petitioner's readmission to the practice of medicine, and all of his PHC treatment providers have certified that the Petitioner can return to practice safely.

3. The Petitioner has been successfully treated and evaluated by two distinguished medical experts specializing in the treatment of sexual compulsion disorders; John P. Wincze, Ph.D., and Fabian M. Saleh, M.D., D.F.A.P.A., both of whom have found that the Petitioner's disorder is in "full remission," and that he is fit to return to practice medicine. Both have recommended his readmission (*"In Full remission" is defined in the DSM V as, "The individual has not acted on the urges with a nonconsenting person, and there has been no distress or impairment in social, occupational, or other areas of functioning, for at least 5 years while in an uncontrolled environment."*)
4. The Petitioner is competent to return to practice. He has taken and successfully passed the SPEX examination, attesting to his competency. The Petitioner has met the Board's Continuing Medical Education ("CME") requirements in each of the seven years since his license was suspended and revoked, and many of his former colleagues and mentors in the Rhode Island medical community have submitted statements attesting to his ability and fitness for the practice of medicine.
5. There has been no repetition of the conduct for which he was criminally charged in 2006. The Petitioner has remained completely abstinent from alcohol and controlled substances for over nine years. His abstinence has been documented by random screenings under the aegis of the PHC.

6. The Petitioner's personal life is stable; has been continuously employed for seven years by the same company in the food service industry and his employer has written to the Board attesting to his character. He has remarried, has a second child, and has built a substantial support system, including his wife, who is also a physician.
7. Finally, the Petitioner, as a condition on the reissuance of his medical license has agreed to the conditions set forth below:

BASED ON THE FOREGOING, THE PARTIES AGREE AS FOLLOWS:

1. The Petitioner's license shall be unrestricted but he shall be on probation until relieved therefrom by the Board.
2. That the Petitioner's practice shall be limited to adults. He shall not treat or consult with any patient under eighteen (18) years of age.
3. The Petitioner shall practice only in a group or institutional setting approved by the Board with such conditions and restrictions as are approved by the Board.
The Petitioner shall advise the Board immediately of any such employment or association and shall provide any employer or association with a copy of this Order.
4. The Petitioner shall maintain his current treatment and monitoring contract with the PHC until relieved of this obligation by the Board.

5. The Petitioner shall conduct himself according to the Code of Ethics of the American Medical Association, and abstain from any type of exploitive behavior in both his personal and professional life.
6. The Petitioner shall continue monitoring and treatment with John Wincze, Ph.D., the Director at the Mens Health Clinic at Miriam Hospital, and with Fabian M. Saleh, M.D., D.F.A.P.A. Dr. Wincze and Dr. Saleh shall file reports of the treatment and monitoring as requested by the Board.
7. No later than six months from the date of the issuance of the Petitioner's medical license, and randomly thereafter, as required by the Board. The Petitioner shall obtain a comprehensive evaluation and assessment, including polygraph testing, to document the absence of boundary violations. A copy of the report shall be delivered by the testing agency to the Board.
8. Petitioner admits to the jurisdiction of the Board.
9. Petitioner 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 Petitioner until final ratification by the Board.
10. The revocation of Petitioner's physician license is hereby vacated. The Petitioner's license shall be unrestricted, but he agrees that any substantial violation or deviation from any of the conditions set forth above, shall be grounds for summary suspension in accordance with the General Laws.
11. If ratified by the Board, Petitioner 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.
12. Petitioner agrees to pay an administrative fee to the Board for costs associating with investigating this complaint. Petitioner shall submit to the Board within sixty (60) days a check made payable to the Rhode Island General Treasury for the amount of \$1000.00.
13. 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 Petitioner's license and/or impose further disciplinary action. If the Director suspends the license and/or impose further disciplinary action, Petitioner shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension an/or further discipline. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to the Petitioner of a

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violation of any term of this Consent Order. The Administrative Hearing Officer may suspend Petitioner's license, or impose further discipline, for the remainder of Petitioner's licensing period if the alleged violation is proven by a preponderance of evidence.

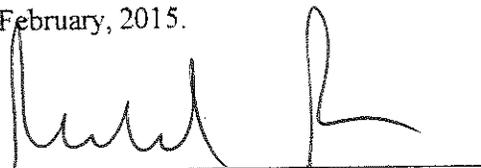
14. The Petitioner's license shall be unrestricted. However, he is subject to his faithful adherence to the conditions established and approved by the Board.

Signed this 6 day of February, 2015.



Andrew Stone M.D.,

Ratified by the Board of Medical Licensure and Discipline on the 11 day of
February, 2015.



Michael Fine, M.D.
Director of Health
Rhode Island Department of Health