

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CONSENT ORDER - BRIAN ACKERMAN, M.D.

DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

**IN THE MATTER OF
BRIAN ACKERMAN, M.D.**

CONSENT ORDER

Brian Ackerman, M.D., has applied for a license to practice medicine and a controlled substance registration in Rhode Island. Respondent specializes in psychiatry and voluntarily surrendered his Massachusetts license in 2006 after a patient reported a complaint of a boundary violation. In the time since the complaint the Respondent has been evaluated by the Rhode Island Physicians Health Committee, Acumen Assessments, Acumen Institute as well as an independent medical examiner and his treating psychologist.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent has presented substantial evidence of remediation. He has earned the endorsement to return to practice from several neutral third parties, including Acumen Assessments, Acumen Institute, the Rhode Island Physicians Health Committee and his treating physician, and an Independent Medical Examiner.
2. Respondent has provided the Board with evidence of clinical competence from an evaluation by the Center for Personalized Education for Physicians. CPEP noted that

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Respondent is clinically competent although he had some knowledge deficits regarding recent changes in psychopharmacology. Respondent subsequently completed 300 hours of continuing medical education.

BASED ON THE FOREGOING, THE PARTIES AGREE AS FOLLOWS:

1. Respondent shall be granted an unrestricted physician license to practice medicine in Rhode Island.
2. Respondent shall maintain his current treatment and monitoring contract with the PHC until relieved of this obligation by the Board.
3. Respondent shall conduct himself according to the Code of Ethics of the American Medical Association, and shall abstain from any type of exploitive behavior in both his personal and professional life. Respondent shall practice only with a group comprising one or more other physicians.
4. Respondent shall continue treatment with his treating psychologist and notify the Board if that treatment arrangement ceases.
5. Respondent shall review the Prescription Monitoring Program prior to prescribing a controlled substance to any patient.
6. Respondent admits to the jurisdiction of the Board.
7. 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.

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8. 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.

9. Respondent agrees to pay an administrative fee to the Board for costs associating with investigating this application. Respondent shall submit to the Board within sixty (60) days of ratification a check made payable to the Rhode Island General Treasury for the amount of \$650.00.

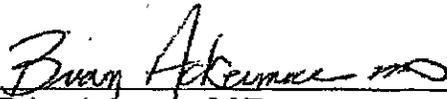
10. In the event that any term of this Consent Order is violated, after signed and accepted, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license and/or impose further disciplinary action. If the Director suspends the license and/or impose further 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

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discretion to request an administrative hearing after notice to the 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.

11. Respondent's license shall be unrestricted. However, he is subject to his faithful adherence to the conditions established and approved by the Board herein.

Signed this 11th day of March, 2015.



Brian Ackerman M.D.,

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



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

*MPH 3/11/15
Delegated for Dr. Fine*