

Rhode Island Board of Medical Licensure & Discipline C14-0347

**STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS
DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE & DISCIPLINE**

**IN THE MATTER OF:
Daniel Hochberger, M.D.
License Number MD 06637
Complaint Numbers C14-0347**

CONSENT ORDER

Daniel Hochberger, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline (hereinafter the "Board") makes the following:

FINDINGS OF FACT

1. Respondent is a physician who has been licensed in Rhode Island since June 19th, 1985. He is a graduate of Boston University School of Medicine on June 1, 1983. Respondent's specialty is internal medicine. His business address is 400 Pawtucket Avenue, Rumford, Rhode Island.
2. Respondent engaged in the practice of medicine multiple times with a family member prescribing various medications including some controlled substances.
3. Respondent prescribed controlled substances to himself on several occasions. Respondent has violated Rhode Island General Laws §5-37-5.1(19) for failure to meet the minimum standard of care.

Based on the foregoing, the parties agree as follows:



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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.
 - h. Any objection that this Consent Order will be reported to the National Practitioner Data Bank, Federation of State Medical Boards as well as posted on the department's public web site.
4. Respondent agrees to pay within (120) days of the ratification of this Consent Order an administrative fee to the Board with a check for \$2500 dollars made payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint.

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5. Respondent hereby agrees to this reprimand on his physician license.
6. Respondent has provided evidence to the Board that he has taken an approved CME of at least 8 hours regarding appropriate professional boundaries.
7. In the event that any term of this Consent Order is violated, after it is 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 2 day of June, 201~~8~~⁶. 



Daniel Hochberger, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 2nd day of June

~~2015~~ 2016



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

