

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS
BOARD OF MEDICAL LICENSURE AND DISCIPLINE

DR. DISANTO C14-501

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

IN THE MATTER OF:
DAVID DISANTO, M.D.
License Number MD 05417
Controlled Substances Registration Number CMD 05417
BMLD Complaint Number C14-501

CONSENT ORDER

David DiSanto, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island and is licensed to prescribe controlled substances under Rhode Island General Laws chapter 21-28, having both a state Controlled Substances Registration and a Federal Drug Enforcement Administration Registration to prescribe controlled substances. The Director of Health (hereinafter "Director") summarily suspended Respondent's Controlled Substance Registration on June 21, 2014 after consideration of input from the Investigative Committee regarding the current complaint.

FINDINGS OF FACT

1. Respondent has been a licensed physician in Rhode Island since October 18, 1978. His practice is located at 2464 Pawtucket Avenue, East Providence, Rhode Island. He is a graduate of the University of Texas at Galveston Medical School. His

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specialty is neurosurgery, and he has hospital privileges at Our Lady of Fatima Hospital.

2. At the time of the summary suspension, a review of a sample of medical records of Respondent's patients demonstrated Respondent's failure to maintain effective safeguards to prevent diversion.
3. At the time of the summary suspension, a review of a sample of medical records of Respondent's patients demonstrate his failure to meet the minimal standard of care for prescribing pain medication.
4. At the time of the summary suspension, Respondent prescribed medications on multiple occasions to a family member.
5. At the time of the summary suspension, Respondent had a pattern of prescribing narcotics with insufficiently detailed medical records.

6. At the time of the summary suspension, Respondent prescribed narcotics without performing a sufficient examination of the patient.
7. Respondent was in violation of Rhode Island General Laws § 5-37-5.1(19) and (26) for failing to adhere to minimum standards of acceptable practice and for violation of state laws concerning standards of practice and prescribing of controlled substances.

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8. Respondent undertook subsequent substantial efforts at remediation including attending and successfully completing the Case Western University School of Medicine Course "Intensive Review in Controlled Substance Prescribing". Respondent was also voluntarily evaluated by the Rhode Island Medical Society Physicians Health Program and was found fit to practice medicine.

Based on the foregoing, the parties agree:

1. Based on the foregoing, the Board of Medical Licensure and Discipline (hereinafter "Board") has determined that the reinstatement of the controlled substances registration of Respondent is not contrary to the health, welfare and safety of the public.
2. Accordingly, the controlled substances registration issued to the Respondent to prescribe controlled substances is hereby reinstated upon ratification of this order by the Board.
3. Respondent admits to jurisdiction of the Board.
4. 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.
5. If ratified by the Board, Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Board;

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- 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 order is reported to the National Practitioner Data Bank, Federation of State Medical Boards and posted on the Rhode Island Department of Health web site.
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6. Respondent agrees to this Reprimand on his physician license.
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7. Respondent agrees to engage a Board approved monitor for the next 12 months to review ten (10) medical records for appropriate controlled substance prescribing monthly for the first three (3) months, then quarterly for the next nine (9) months. The Board approved monitor will be engaged within ninety (90) days.
8. Respondent agrees not to prescribe to self or immediate family members.
9. Respondent agrees to review the state prescription drug monitoring program prior

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to prescribing a controlled substance.

10. Respondent shall submit a civil administrative fee to the Rhode Island General Treasury an administrative fee within twelve (12) months of ratification of this order of \$1,405.00.
11. 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 impose further disciplinary action. If the Director summarily imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative hearing within ten (10) days of the disciplinary action. 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, if the alleged violation is proven by a preponderance of evidence.

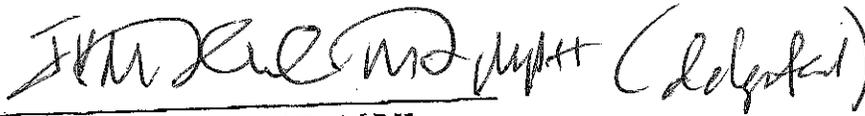
Signed this 17 day of November, 2015.



David Disanto, M.D.

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Ratified by the Board of Medical Licensure and Discipline on the 17 day of November, 2015.



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