

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

DEPARTMENT OF HEALTH

BOARD OF MEDICAL LICENSURE AND DISCIPLINE

IN THE MATTER OF:

DAVID STOLL, M.D. License Number MD06416

Controlled Substances Registration Number CMD06416

BMLD Case Number C12-033

CONSENT ORDER

David Stoll, MD (hereinafter "Respondent") is licensed as a physician in Rhode Island and is licensed to prescribe controlled substances under RIGL 21-28, having both a state Controlled Substances Registration and a Federal Drug Enforcement Administration Registration to prescribe controlled substances. The Board of Medical Licensure and Discipline (hereinafter the "Board") through its investigating committee voted to find Respondent guilty of unprofessional conduct on August 29, 2012, at which time the committee found the following:

FINDINGS OF FACT

1. Respondent is a licensed physician in the State of Rhode Island and was issued his license on June 20, 1984.
2. Respondent's office is located at 55 Hamlet Avenue, Woonsocket, Rhode Island.
3. Respondent has a primary specialty of hematology and a secondary specialty of medical oncology, and has privileges at Landmark Hospital.
4. Respondent on four occasions purchased chemotherapeutic drugs from a Canadian distributor between 2006 and 2009; and controlled substances were ordered to his office

and due to the absence of any records, such as inventories, invoices or dispensation records, they are considered unaccounted.

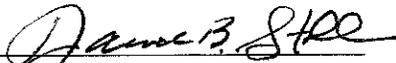
5. Respondent maintained in his office a compounding field for the mixture of chemotherapeutic drugs, and an inspector from the Rhode Island Board of Pharmacy determined that non-sterile items were present in the compounding field; and thereafter, the Respondent decided not to continue preparing such drugs in his office.
6. After these events, Respondent voluntarily took 12.25 hours of continuing medical education in the area of narcotic prescriptions.

The parties agree as follows:

1. Respondent admits to the jurisdiction of the Board;
2. Respondent has reviewed 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;

- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
4. Respondent shall attend the PROBE course within six months.
 5. Respondent agrees to the issuance by the Board of this Reprimand for the facts cited above, which establish a violation of Rhode Island General Laws § 5-37-5.1(26).
 6. Respondent shall remit an administrative fee of fifteen hundred dollars (\$1500.00) to the Rhode Island Department of Health, payable to the State of Rhode Island, for costs associated with investigation of the two complaints upon which this Consent Order is based.
 7. Respondent will remain on probation for two years following ratification of this order by the Board.
 8. Respondent agrees not to prepare any chemotherapeutic drugs in his office.
 9. Respondent agrees not to purchase any medications from another country.
 10. In the event that any conditions of this Consent Order are violated after it is signed and accepted, the Director of the Department of Health shall have the discretion to impose further disciplinary action, including summarily suspending the Respondent's license to practice medicine in the State of Rhode Island. If the Director suspends such license, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of any violation of this Consent Order. The Administrative Hearing Officer may suspend Respondent's license for the remainder of Respondent's probationary period if the alleged violation is proven by a preponderance of evidence.

Signed this 7th day of September, 2012.



David Stoll, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 21 day of September, 2012.



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