

**STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS**

**RHODE ISLAND
DEPARTMENT OF HEALTH**

**MICHAEL FINE, M.D., IN HIS CAPACITY
AS DIRECTOR OF RHODE ISLAND
DEPARTMENT OF HEALTH**

**In the Matter of:
DONYA POWERS M.D.
License Number MD 06532
Controlled Substances Registration
Number CMD 06532**

COMPLIANCE ORDER

Now comes the Director of Health of the State of Rhode Island and, pursuant to Rhode Island General Laws §§ 23-1-20, after initial investigation of a patient complaint pertaining to Donya Powers, M.D. (hereinafter "Respondent") makes the following Findings and Order:

FINDINGS

1. Respondent has been licensed as a physician in Rhode Island since December 19, 1984, and is a 1983 graduate of Brown University School of Medicine. Her office is located at One Randall Square, Providence, Rhode Island.
2. Respondent had signed a consent order in 2009 due to her failure to respond to the Board and issues with medical records, lack of malpractice insurance, and lack of "cross coverage" for patient calls.

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3. The Board of Medical Licensure and Discipline has received three complaints since 2011 to which Respondent has not replied [complaint numbers C11-842, C14-091, C14-440]. Notice of these patient complaints was sent to Respondent by regular and/or certified mail to the addresses she had provided to the Board upon license renewal. The certified mail indicated receipt at the addresses listed on such mail.
4. Respondent appeared before the Board September 4, 2014, and was not able to offer any solutions, when requested, for a plan that would prevent similar events from happening in the future, nor provide sufficient proof to the Board that she carries medical malpractice insurance.
5. Based on the above information, the Department of Health finds that Respondent is in civil violation of Rhode Island General Laws § 5-37-5.1(19) for failure to meet minimum standard of care regarding responding to a patient, Rhode Island General Laws § 5-37-5.1(10) failure to provide medical records and Rhode Island General Laws § 5-37-5.1(23) failure to provide information legally requested by the Board.

ORDER

After consideration of the above findings and a review of Department of Health records that demonstrate the accuracy of the above findings, it is hereby ordered that:

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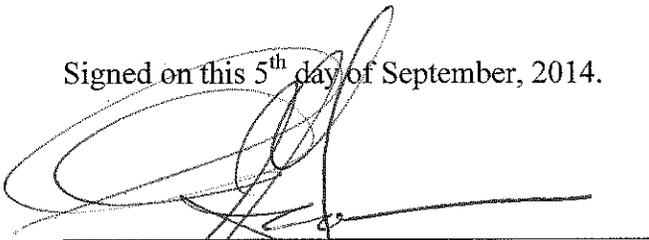
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1. Respondent is ordered to obtain and retain for the duration of her practice an answering service that will take and document messages for Respondent when she is not available.
2. Respondent will submit to the Board of Medical Licensure and Discipline within seven days of the effective date of this Order sufficient proof that she is currently covered by medical malpractice insurance.
3. Respondent is ordered to obtain within forty-two (42) days an evaluation from a practice management consultant who will state that to the best of their knowledge, Respondent's office is compliant with state and federal laws and guidelines.
4. Respondent shall notify the Board and all of her patients within thirty (30) days prior to any change of office address or phone number.
5. Respondent shall furnish medical records to any patient requesting their own records within fourteen (14) days of the patient's written request for them.
6. Respondent has a right to request a hearing on this Compliance Order within ten days of service of the order, and shall have a hearing with at least five days' notice of its date, time and place, pursuant to Rhode Island General Laws § 23-1-22.
7. If no hearing shall be requested within ten days of service of this Compliance Order upon Respondent, then this Order shall become effective thereupon pursuant to Rhode Island General Laws § 23-1-23.

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8. The issuance of this Compliance Order is not a final adjudication of any complaint, and Respondent still faces further investigation and possible disciplinary action as a result of the filing of the above-referenced complaints.

Signed on this 5th day of September, 2014.



Leonard B. Green, MPS
Delegated Authority for
Michael Fine, M.D.
Director
Rhode Island Department of Health

CERTIFICATION OF SERVICE

A copy of the within Compliance Order was mailed to Respondent by the undersigned on this 8th day of September, 2014, to Donya Powers, M.D., at One Randall Square, Providence, Rhode Island.

