

**STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH  
BOARD OF MEDICAL LICENSURE AND DISCIPLINE**

**IN THE MATTER OF:**

**Frank Detorie, M.D. License Number MD04311  
BMLD Case Number C11-981**

**CONSENT ORDER**

Frank Detorie, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline (hereinafter the "Board") through its investigating committee voted to find unprofessional conduct against Respondent due to his insurance company's settlement of a medical-malpractice lawsuit, and the committee made the following:

**FINDINGS OF FACT**

1. Respondent is a licensed physician in the State of Rhode Island and was issued his license on July 21, 1971. Respondent is no longer in private practice but sees patients at Our Lady of Fatima Hospital, North Providence, Rhode Island. His primary specialty is obstetrics and gynecology, and he has privileges at Landmark, Saint Joseph's, Rhode Island, Roger Williams, Newport and Miriam Hospitals.
2. Respondent and another surgeon performed laparoscopic surgery on a 58 year old female patient on October 13, 2004, and she died in 2007. Respondent resected a carcinoid tumor of the patient's small bowel, and he avers that his resection

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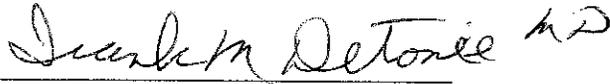
showed clear margins. A medical malpractice lawsuit alleged that Respondent failed to obtain clear margins, and failed to follow up after surgery which resulted in additional surgery and metastatic disease. The lawsuit was settled by Respondent's insurance carrier.

3. Respondent was then hospitalized from October 19 to November 7, 2004, after complaining of abdominal pain and vomiting for days. On November 1, Respondent and another surgeon performed the second laparoscopic surgery on the patient to resect a mid-ileum lesion. The pathology report stated that the "proximal and distal surgical resection margins are negative and uninvolved. The radial resection margin is involved by carcinoid tumor." A tumor that was 2 centimeters by 2 centimeters was located 6 and 6.5 centimeters from the margins of the specimen.
4. During 19 days in hospital, patient had sixteen (16) images taken of her abdominal area over as many days.
5. Respondent examined patient several months later when she complained of lower abdominal pain, but Respondent's examination revealed negative findings. The next month, Respondent sent patient's MRI to a neurosurgeon. Subsequent care with other providers revealed metastatic carcinoid tumor that had adhered to patient's aorta.
6. Respondent's actions constituted a civil violation of Rhode Island General Laws § 5-37-5.1(28) for an incident of medical malpractice on a particular occasion.

**Based on the foregoing, the parties agree as follows:**

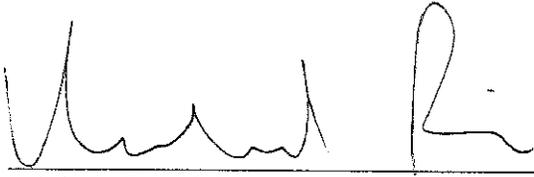
1. Respondent admits to the jurisdiction of the Board.
2. Respondent has reviewed this Consent Order and understands that it is subject to final approval of the Board; and this Consent Order is not binding on Respondent until final ratification by the Board.
3. If ratified by the Board, Respondent hereby 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.
3. Respondent agrees to this Reprimand by the Board based on the findings above.

Signed this 18 day of March, 2013.



Frank Detorie, M.D.

Ratified by the Board of Medical Licensure and Discipline on the \_\_\_ day of \_\_\_\_\_, 2013.



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