

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

No. C09-544

**IN THE MATTER OF
JAMES URBAN, M.D.
LICENSE NUMBER MD 9760**

Consent Order

Pursuant to R.I. Gen. Laws §5-37-5.2, 1956, as amended, (2002 Reenactment) a notification was received by the Board of Medical Licensure and Discipline [Board] regarding James Urban, M.D. ("Respondent"). This matter was referred to an Investigating Committee of the board for review and recommendation. The following are findings of fact and conclusions of law:

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. The Respondent is a physician born on September 7, 1947 who has been licensed to practice medicine in Rhode Island since 1999. His primary area of practice is Internal Medicine caring for patients, primarily in outpatient settings.
2. The Respondent's medical office is Harbour Medical located at 1000 Division Street, East Greenwich R.I.
3. The Board sanctioned the Respondent in January 2007 with a Reprimand and again in May of 2009 with an Order that put his license to practice medicine and issued him a suspension from practice (Stayed while he completed certain requirements) and placed his license on probation.

4. The Respondent was subject to a separate investigation conducted by the Food and Drug Administration Office of Criminal Investigations, the Department of Attorney General Medicaid Fraud and Patient Abuse Unit, East Providence and North Providence Police Departments.
5. The investigation revealed that the Respondent prescribed narcotic medication to a "patient" without adequate medical necessity and repeated the prescriptions after being told by East Providence Police and the patient himself that the pills were being sold illegally by the patient. The Respondent then "coached" the patient on how to deceive law enforcement regarding selling the narcotics.
6. Respondent failed to conform to the minimal standards of acceptable and prevailing medical practice and failed to comply with orders of the Board of Medical Licensure and Discipline in violation of § 5-37-5.1(19) and violating state and federal laws relating to controlled substances.
7. Respondent is in violation of the terms of the Consent Order that he signed with the Board in May of 2009.

The parties agree as follows:

Respondent admits to the jurisdiction of the Board.

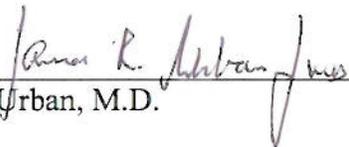
- (1) Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Board;

- b. The right to produce witnesses and evidence in 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 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;
 - h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
 - i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.
- (2) Acceptance of this Consent Order constitutes an admission by the Respondent that the findings of fact were made by the Board.
- (3) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
- (4) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
- (5) Respondent hereby consents to a sanction of Suspension of his license to practice medicine for a minimum of 3 years. The Respondent may be eligible to reapply for licensure after three years, however, reinstatement is

in the sole discretion of the Board. The Respondent must complete an Ethics Course approved in advance by the Board. The Respondent must also complete a mini-residency in medicine and prescribing controlled substances. In no case will the Respondent be eligible for a RI Drug Control license or a federal DEA registration for at least 5 years.

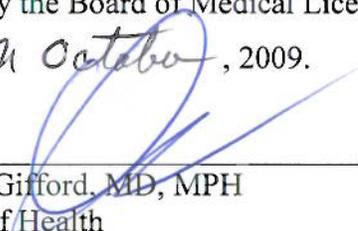
- (6) If the Respondent is reinstated, the Respondent is required to adhere to a 5-year treatment and monitoring program for physical and mental health with the PHC.
- (7) Respondent agrees to pay an administrative fee of FIVE HUNDRED (\$500.00) DOLLARS within 60 days of ratification of this Order.

Signed this 24th day of September, 2009.



James Urban, M.D.

Ratified by the Board of Medical Licensure and Discipline by its chairman,
on 14th October, 2009.



David R. Gifford, MD, MPH
Director of Health
Chair, Board of Medical Licensure and Discipline