

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

No. C07-155

IN THE MATTER OF JONATHAN TAD FOGEL, M.D.

CONSENT ORDER

The Board of Medical Licensure and Discipline (hereinafter referred to as the "Board") received notice that the Respondent engaged in the practice of internet prescribing of prescription drugs. This matter was referred to an investigating committee of the Board. The findings of fact and conclusions of law are set forth below.

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. Jonathan Tad Fogel, M.D. is a 1997 graduate of Jefferson Medical College, Philadelphia, PA. He also holds a degree in Pharmacy. He was licensed to practice medicine in Rhode Island in 2000. He was board certified in Emergency Medicine in 2001. He is forty-two years old.
2. The Respondent entered into an agreement with RX Partners to write prescriptions for individuals who filled out an online questionnaire. Speedyrxdrugs.com would then fill the prescription and mail the drugs to the individual named on the prescription.
3. The Respondent wrote numerous prescriptions for individuals based upon the on-line questionnaire.
4. The Respondent has violated the provisions of RIGL § 5-37-5. for unprofessional conduct in writing prescriptions for individuals based upon a

on-line questionnaire when a doctor/patient relationship has not been established.

5. The complaints to the Board implicate the provisions of R.I.G.L. 5-37-5.1 for prescribing medication to patients with whom there was no bona fide doctor/patient relationship.

The parties agree as follows:

- (a) Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license number, MD 10352;
- (b) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board;
- (c) Respondent has read this Consent Order and understands that it is a proposal of an Investigating Committee of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent until final ratification by the Board.
- (d) Respondent hereby acknowledges and waives:
 - (1) The right to appear personally or by counsel or both before the Board;
 - (2) The right to produce witnesses and evidence in his behalf at a hearing;
 - (3) The right to cross-examine witnesses;
 - (4) The right to have subpoenas issued by the Board;

(5) The right to further procedural steps except for those specifically contained herein;

(6) Any and all rights of appeal of this Consent Order;

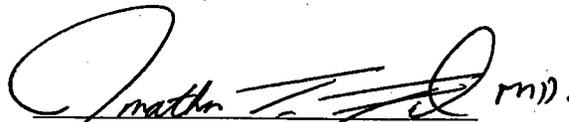
(7) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;

(8) 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;

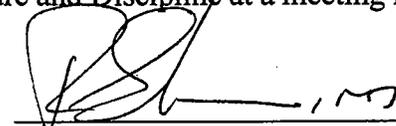
(9) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.

(a) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

(b) The Respondent agrees to a Reprimand and must attend a course in Ethics at ProBe in New Jersey before within one year of ratification of this Order. Respondent shall pay an administrative assessment of \$1,000.00 within 90 days of ratification of this Order.


Jonathan T. Fogel, MD

Ratified by the Board of Medical Licensure and Discipline at a meeting held
on *November 5*, 2007.

A handwritten signature in black ink, appearing to read 'D. Gifford', written over a horizontal line.

David R. Gifford MD, MPH
Director of Health