

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

**IN THE MATTER OF:  
JOSEPH F. GRILLO, M.D.  
License Number MD11095  
Controlled Substances Registration Number CMD11095  
BMLD Case Number C11-125**

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**CONSENT ORDER**

Joseph F. Grillo, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island and is licensed to prescribe controlled substances under Rhode Island General Laws chapter 21-28, having both a state Controlled Substances Registration and a Federal Drug Enforcement Administration Registration to prescribe controlled substances. After reviewing the above-referenced complaint, and new evidence about efforts made by Respondent to ameliorate the conditions cited in the complaint, the Board makes the following:

**FINDINGS OF FACT**

1. Respondent was licensed as a physician in Rhode Island on February 12, 2003, and his primary specialty is internal medicine. His office is located at 310 Maple Avenue, Barrington, Rhode Island. He is a 1997 graduate of the University of Medicine and Dentistry of New Jersey, Robert Wood Johnson Medical School.
2. On February 12, 2007, the Board placed Respondent on probation for a five year period for engaging in unacceptable and disruptive behavior while in treatment with the Physician's Health Committee of the Rhode Island Medical Society.

3. Prior to the completion of the five-year probation, Seekonk, Massachusetts, police charged Respondent on February 16, 2011, with six offenses: operating a motor vehicle under the influence of alcohol, negligent operation of a motor vehicle, leaving the scene of an accident involving property damage, not possessing vehicle registration, breaking and entering a building, and destruction of property.
4. The Director of Health on February 22, 2011, suspended Respondent's physician license after the Respondent's arrest on the six charges.
5. Respondent later pleaded guilty to a charge of driving under the influence, and was fined and ordered to pay restitution for damage he caused.
6. After Respondent's physician license was suspended, he continued to work with the Physicians' Health Committee for nearly three years and earned their unqualified endorsement to return to active medical practice.
7. Respondent remains board certified in internal medicine and was recertified by the American Board of Internal Medicine in June 2013.
8. The Respondent's acts constituted a civil violation of Rhode Island General Laws § 5-37-5.1(5) for dependence upon controlled substances.

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

1. Respondent admits to the jurisdiction of the Board.
2. Respondent has agreed to 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. The February 22, 2011, summary suspension of Respondent's physician license is hereby vacated.
5. Respondent shall abstain completely from controlled substances except those prescribed by his treating physician, and from using alcohol.
6. Respondent shall complete the remainder of his contract with the Physicians' Health Committee and shall continue to do so until the PHC shall deem appropriate.
7. Respondent shall within ninety (90) days of ratification of this order contract for quarterly monitoring of at least ten (10) randomly-selected patient records by a physician/monitor approved in advance by the Board.

8. Respondent may continue to prescribe controlled substances but shall immediately institute pain-management agreements with each patient for whom he prescribes a controlled substance for more than a thirty day period; shall document and specify which diagnosis or diagnoses that support each controlled substance prescription; shall maintain a narcotics log for each such patient; shall refer to the web-based PMP before refilling any narcotic prescriptions; shall perform toxicology screening of any patient who exhibits "drug-seeking" behavior or repeated early pharmacy requests for controlled substances; and shall require any patient who has a controlled substance prescription to have it filled at a Rhode Island pharmacy only.
9. The Respondent agrees to this reprimand on his physician license.
10. Respondent agrees to pay an administrative fee to the Board for costs associating with investigating this complaint. Respondent shall submit to the Board within sixty (60) days a check made payable to the Rhode Island General Treasury for the amount of \$1000.00.
11. Respondent will remain on probation for five (5) years following ratification of this order by the Board.
12. ~~In the event that any term of this Consent Order is violated, after signed and accepted, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license and/or impose further disciplinary action. If the Director suspends the license and/or imposes further disciplinary~~

**JOSEPH F. GRILLO, M.D.**

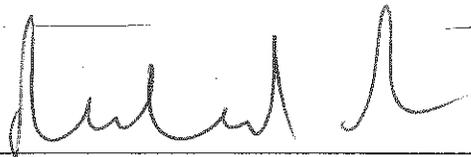
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action, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension and/or further discipline. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of a violation of any term of this Consent Order. The Administrative Hearing Officer may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

Signed this 8 day of January, 2014.

  
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Joseph F. Grillo, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 8 day of January, 2014.

  
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Michael Fine, M.D.  
Director of Health