

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

No. C96-322

In the matter of:
Lorin H. Mimless, M.D.

CONSENT ORDER

The Board of Medical Licensure and Discipline has received information from the Board of Registration in Medicine for the State of Massachusetts and from the Respondent that the Respondent was convicted of two hundred and nineteen counts of filing false Medicaid claims and two counts of grand larceny. This conviction arose out of charges filed by the Attorney General for the State of Massachusetts which alleged that the Respondent overbilled the Massachusetts Medicaid Program between March, 1993 and December, 1995.

Findings of Fact

1. The Respondent admits that he was convicted of two hundred and nineteen counts of State Medicaid fraud in violation of Mass. G.L. 118 E. and two counts of grand larceny on July 17, 1997.

2. The Board of Medical Licensure and Discipline finds that the Respondent is in violation of R.I.G.L. §5-37-5.1(3) for conviction of a felony and for conviction of a crime arising out of the practice of medicine.

The parties agree as follows:

(1) The Respondent is a physician who is licensed in the State of Rhode Island, allopathic license number 6640.

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on the Respondent until final ratification by the Board.

(4) 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 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;
- 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.

(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written findings of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order

dismissing the charges.

(6) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board. It shall be published as the Board, in its exercise of its discretion, shall determine.

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

(9) Respondent voluntarily accepts the Board's finding of a violation of R.I. Gen. Laws §5-37-5.1 for a conviction of a felony and hereby agrees to an indefinite suspension of his license to practice medicine in the State of Rhode Island. The Respondent may not reapply for reinstatement until two years has elapsed from the date of this Order.

(10) The Board and the Respondent understand that should his conviction be overturned on appeal that the suspension will end and Respondent will be relicensed. The Board may, in the exercise of its discretion, conduct an administrative hearing relative to the allegations made by the Medicaid Fraud Unit for the State of Massachusetts.

Signed this 30th day of Sept 1997.



Lorin H. Mimless, M.D.

Ratified by the Board of Medical Licensure and Discipline at
a meeting held on 8th October 1997.

Patricia A. Nolan, MD, MPH
Patricia A. Nolan, MD, MPH
Director of Health
Chairperson
Board of Medical Licensure and
Discipline