
**BOARD OF MEDICAL LICENSURE AND
DISCIPLINE**

**In the matter of:
Marsha K. Smith, M.D.
License #: MD 9855**

REINSTATEMENT OF LICENSE

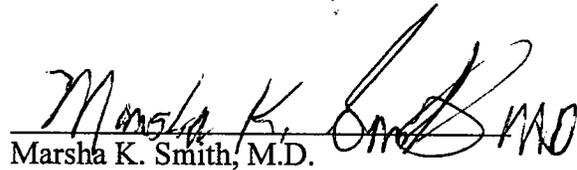
Findings of Facts

Petitioner, Marsha K. Smith, M.D., requested reinstatement of her license to practice medicine in the State of Rhode Island. She had her license approximately one year ago during the dissolution of her medical practice that had been placed in receivership by the Superior Court. Petitioner left the state shortly after she surrendered her license in order to establish herself in Tennessee. At the time the Board required the petitioner to obtain a forensic evaluation of her fitness to practice medicine in cooperation with the Physician Health Committee (hereinafter "PHC") of the Rhode Island Medical Society. The petitioner accomplished this evaluation in 2005 and the Board of Medical Licensure and Discipline was provided with a copy of the evaluation and a letter of support from the PHC. A review of the reports and a consultation with the evaluators have lead the Board to conclude that the Petitioner has completed all of the requirements requested by the Board and the she is fit to return to the practice of medicine under the terms conditions recommended by her evaluators.

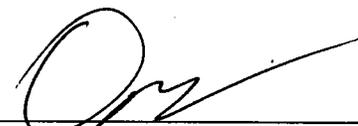
Reinstatement Terms and Conditions

1. Respondent shall sign a contract for at least three years with the Tennessee Medical Foundation Physician's Health Program for monitoring.
2. If Respondent seeks practices elsewhere, she must sign the monitoring agreement in the state in which she seeks licensure.
3. Respondent must cooperate fully with the mandates of these programs or she will be considered to be out-of-compliance with the terms of this reinstatement and therefore subject to further disciplinary action.
4. Respondent's reinstatement is subject to compliance with all terms stated above and with the compliance with the Tennessee Physician's Health program.

Signed this 20th day of April, 2005⁶.


Marsha K. Smith, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held
on ~~September 14th, 2004.~~
* July 12th, 2006


David R. Gifford, MD, MPH
Director of Health
July 12, 2006

BOARD OF MEDICAL LICENSURE AND DISCIPLINE

**IN THE MATTER OF:
Marsha K. Smith, M.D.
License Number MD 9855**

VOLUNTARY SURRENDER

Pursuant to R.I. Gen. Laws §5-37-5.2, 1956, as amended, (1999 Reenactment) a complaint was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") alleging that Marsha K. Smith, M.D., Respondent, may have violated §5-37-5.1.

Findings of Facts

1. The Board of Medical Licensure and Discipline received complaints that alleged that the licensee, Marsha K. Smith, M.D., engaged in conduct that put the health and welfare of her patients at risk. Dr. Smith misrepresented facts regarding herself and her practice to the Board of Medical Licensure and Discipline; and failed to provide a transition plan for care of her patients at the time of practice closure in accordance with the agreed upon Board imposed deadline.
2. The Board Ordered the Respondent to obtain a physical and psychiatric examination in January of 2004. The Respondent has been uncooperative and has not obtained the required examination.

3. Respondent failed to adhere to a 48 hour deadline to facilitate transfer of patient care following her medical practice being placed in receivership.

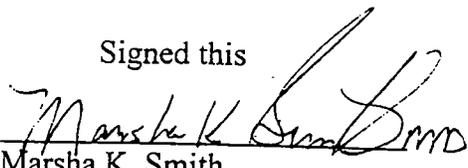
The parties agree as follows:

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

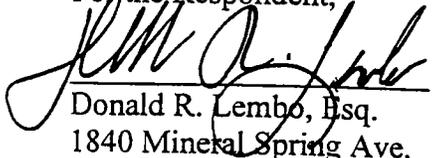
- (1) Respondent has read this Consent Order and understands that it is a proposal of an Investigating Committee of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent until final ratification by the Board.
- (2) Respondent hereby acknowledges 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.
- (3) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.
- (4) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.
- (5) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
- (6) The Respondent voluntarily surrenders her license to practice medicine in Rhode Island until further Order of the Board.

Signed this _____ day of _____, 2004.


Marsha K. Smith

For the Respondent,


Donald R. Lembo, Esq.
1840 Mineral Spring Ave.
North Providence, RI 02904

Ratified by the Board of Medical Licensure and Discipline at a meeting held on June 9, 2004.


Patricia A. Nolan, MD, MPH
Director of Health