

BOARD OF MEDICAL LICENSURE AND DISCIPLINE
AND DAVID R. GIFFORD, MD, MPH, IN HIS CAPACITY
AS DIRECTOR OF HEALTH, STATE OF RHODE ISLAND

In the Matter of:
Philemon T. Marvel, M.D
License #: MD 05394

FINDINGS OF FACT

Philemon T. Marvel, M.D. has been licensed to practice medicine in the State of Rhode Island since 1978. In the course of his practice, Dr. Marvel admitted to having sexual contact with a patient during the existence of a doctor/patient relationship in violation of R.I.G.L. § 5-37-5.1(30). Dr. Marvel voluntarily surrendered his license to practice medicine in Rhode Island through a Consent Order, ratified on July 14, 2004.

Prior to the surrender of his license, Dr. Marvel was President of a medical practice, Newport Family Practice on 62 Broadway, Newport, Rhode Island 02840-2750. Since the surrender of his license, Dr. Marvel has continued to serve as President of this medical practice. This is a violation of the Professional Service Corporations Act requiring that officers, shareholders and directors of professional service corporations (medical practices) must be licensed to practice medicine or practice in combination with a licensee licensed to practice independently in accordance with RIGL § 7-5.1-3.

IMMEDIATE COMPLIANCE ORDER

Now comes the Director of Health of the State of Rhode Island, and pursuant to Rhode Island General Laws 23-1-21 issues the following Findings and Order.

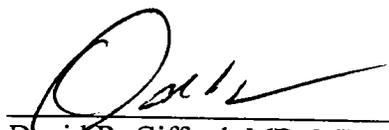
ORDER

Philemon T. Marvell, M.D. must divest himself of the Professional Service Corporation called Newport Family Practice, Inc. The stock must be transferred to an individual licensed to practice independently. Further, all patient medical records must be transferred to a licensed medical practitioner forthwith.

This Immediate Compliance Order shall take effect upon service.

Entered this 28 day of July 2005.

By:


David R. Gifford, MD, MPH

CERTIFICATION OF SERVICE

A copy of the this Immediate Compliance Order was sent registered mail to Philemon T. Marvel, MD, and hand delivered to attorney David Carroll, 10 Weybosset St., Providence, RI 02903 by the undersigned on 28 day of July 2005.

