

Rhode Island Board of Medical Licensure & Discipline
C15-069

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS
DEPARTMENT OF HEALTH

BOARD OF MEDICAL LICENSURE & DISCIPLINE

IN THE MATTER OF:

Complaint Number C15-069

Philip Maddock, M.D.
License Number MD 06159

CONSENT ORDER

Philip G. Maddock, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline (hereinafter the "Board") makes the following:

FINDINGS OF FACT

1. Respondent is a physician who has been licensed in Rhode Island since April 20, 1983. His business address was 450 Tollgate Road, Warwick, Rhode Island. He graduated from University of Dublin Trinity College in 1967. Respondent is Board certified and his specialty is Radiation Oncology. Respondent has no prior disciplinary actions.
2. Patient A presented to Respondent in December of 2014 for planning of radiation treatment for a recently diagnosed lung cancer. Due to prior cancer diagnoses and radiation and chemotherapy treatments, the case was very complex.

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3. During this timeframe, a joint venture approached Respondent with a proposal to acquire his practice. Agreement was reached by April 2014 but the offer was subsequently withdrawn in May 2014. In December 2014, Respondent was again approached and an agreement was reached, however, it was unclear to him if and when the closing would occur. It was Respondent's intention to participate in the transition of care of his patients to the new practice. Prior to the commencement of Patient A's treatment, the closing occurred and Respondent was not allowed to participate in the transition of care. Although he notified all of his patients then in active treatment regarding the sale of the practice, he did not have an opportunity to notify all of his patients that the practice had been sold. Patient A learned via her oncologist that Respondent had sold his practice and that care would be taken over by another physician.
4. There was no allegation in deficiency in quality of care. Rather, the principal issue was transition of care and properly notifying patients when a practice is closing. Respondent still had an obligation to properly notify his patients that he was selling his practice and that their care was being transitioned to another provider.
5. Respondent has violated Rhode Island General Laws § 5-37-5.1(24) by failing to properly close a medical practice pursuant to R.I.G.L. § 5-37-30.

Based on the foregoing, the parties agree as follows:

1. Respondent admits to the jurisdiction of the Board.

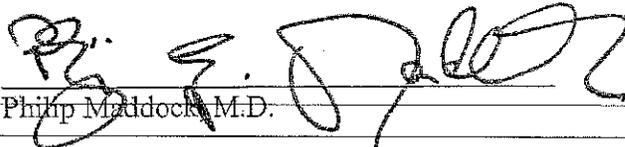
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2. Respondent has agreed to this Consent Order and understands that it is subject to final approval of the Board, and this Consent Order is not binding on Respondent until final ratification by the Board.
3. If ratified by the Board, Respondent hereby 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; and
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.
4. Respondent agrees to pay within sixty (60) days of the ratification of this Consent ~~Order an administrative fee to the Board with a check for \$650 dollars made~~ payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint.
5. Respondent hereby agrees to this reprimand on his physician license.
6. Respondent agrees to take within twelve (12) months of the ratification of this order a Board approved course.

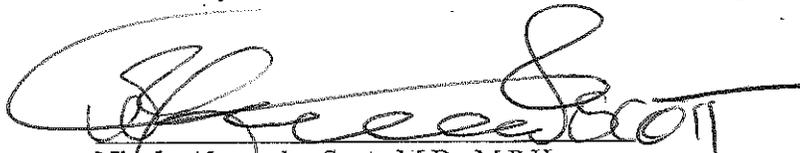
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7. In the event that any term of this Consent Order is violated, after it is signed and accepted, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license and/or impose further disciplinary action. If the Director suspends the license and/or imposes further disciplinary 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 9th day of Oct., 2015.


Philip Maddock, M.D.

Ratified by the Board of Medical Licensure and Discipline on the _____ day of _____ 2015.


Nicole Alexander-Scott, M.D., M.P.H.
Director
Rhode Island Department of Health