

**BOARD OF MEDICAL LICENSURE AND
DISCIPLINE**

No. C10-003

**IN THE MATTER OF
Prakash Sampath, M.D.
License Number: MD 10126**

Consent Order

Pursuant to R.I. General Laws § 5-37-5.2, 1956, as amended, (2009 Reenactment) a notification was received by the Board of Medical Licensure and Discipline (“Board”) regarding Prakash Sampath, M.D. (“Respondent”). This matter was referred to the Board Investigating Committee for review and recommendation. The following are findings of fact and conclusions of law:

A. FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. The Respondent graduated from Columbia University College of Physicians and Surgeons in 1992. The Respondent received his Rhode Island medical license in August 1999. His primary area of practice is Neurological Surgery. The Respondent has hospital privileges at both Roger Williams Hospital and Rhode Island Hospital.
2. A patient was referred to Respondent to conduct a neurosurgical evaluation on August 24, 2009 for complaints of neck pain. The patient claims that she was not properly examined by the Respondent and his staff.
3. After the August 24, 2009 appointment, the patient requested a copy her medical record relating to such appointment. Investigation revealed that the Respondent’s dictated consultation note did not accurately reflect the services provided to the patient and these services were billed to the patients’ insurance provider.

4. The patient notified the Rhode Island Board of Medical Licensure and Discipline (“Board”) on January 5, 2010 regarding the foregoing issues.
5. The Respondent acknowledges that the services provided were inaccurately documented on the patients’ consultation note. The Respondent has implemented a variety of corrective action measures to prevent these clerical errors in the future.
6. The Board has determined that the Respondent failed to adhere to appropriate documentation practices and therefore the Respondent will receive a reprimand.

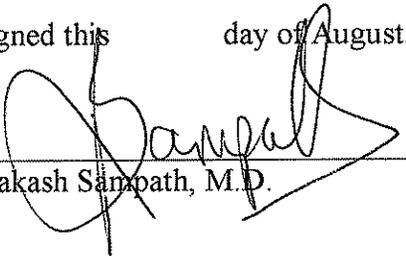
B. THE PARTIES AGREE AS FOLLOWS:

Respondent admits to the jurisdiction of the Board.

- (1) 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 the terms 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

- (2) Acceptance of this Consent Order constitutes an admission by the Respondent that the findings of fact were made by the Board.
- (3) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
- (4) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
- (5) Respondent hereby consents to a reprimand with the requirement of attendance at an Intensive Course in Medical Recordkeeping at Case Western Reserve University School of Medicine on November 4-5, 2010.
- (6) Respondent agrees to pay an administrative fee of FIVE HUNDRED (\$500.00) DOLLARS within 60 days of ratification of this Order.

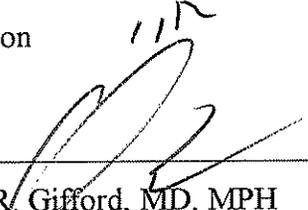
Signed this day of August, 2010.



Prakash Sampath, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held

Aug on , 2010.



David R. Gifford, MD, MPH
Director of Health

NIXON PEABODYLLP
ATTORNEYS AT LAW

Suite 500
One Citizens Plaza
Providence, Rhode Island 02903-1345
(401) 454-1000
Fax: (401) 454-1030

Stephen D. Zubiago
Direct Dial: (401) 454-1017
E-Mail: szubiago@nixonpeabody.com

August 2, 2010

VIA HAND DELIVERY

Bruce W. McIntyre, Esq.
Legal Counsel
Rhode Island Department of Health
3 Capitol Hill, Room 205
Providence, RI 02908

Re: Prakash Sampath, M.D.

Dear Attorney McIntyre:

On behalf of Dr. Sampath, attached hereto please find an executed Consent Order related to matter No. C10-003. We understand that this matter will be presented to the Board at its meeting on August 10, 2010 and that if it is accepted at that time, it will become a binding Consent Order.

If you or the Board require any further information, please do not hesitate to contact us.

Sincerely,



Stephen D. Zubiago

Enclosure

cc: Prakash Sampath, M.D.