

**BOARD OF MEDICAL LICENSURE AND
DISCIPLINE
IN THE MATTER OF:**

**Ralph A. Digiacomo, M.D.
License Number MD 06546.**

C07-221

Consent Order

Pursuant to R.I. Gen. Laws §5-37-5.2, 1956, as amended (2002 Reenactment) information was received by the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") regarding Ralph A. Digiacomo (hereinafter referred to as "Respondent") from the Board of Pharmacy detailing the Respondent's ordering of certain controlled substances (hydrocodone containing medications) in gross and excessive quantities over a two year period. Preliminary investigation indicated that these medications were not ordered for use in patient care; and that federal regulatory requirements for controlled substance documentation were not met. The following are findings of fact and conclusions of law:

Finding of Facts

1. The Respondent is a 1982 graduate of the St. George School of Medicine of Grenada. He was born on July 16, 1956. He has been licensed to practice medicine in the State of R.I. since 1985. He practices Rheumatology and Internal Medicine. His primary practice location suite 303, Gate Medical Building, 215 Tollgate Road, Warwick R.I.
2. Respondent ordered and received excessive amounts of hydrocodone/acetaminophen between March 1, 2005 and December 29, 2006.

3. Respondent has not maintained minimally acceptable documentation for these controlled substances.
4. Respondent failed to conform to the minimal standards of acceptable and prevailing medical practice in violation of § 5-37-5.1(26).

The parties agree as follows:

- (1) The Respondent is a physician licensed and doing business under and by virtue of the Laws and the State of Rhode Island, allopathic license Number MD 06546.
- (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 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.
- (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 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) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.
- (6) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.
- (7) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
- (8) The Respondent Voluntarily Surrendered his license to practice medicine in Rhode Island on April 4, 2007.
[\(http://www.health.ri.gov/hsr/bmld/actions/C07-221.pdf\)](http://www.health.ri.gov/hsr/bmld/actions/C07-221.pdf)
- (9) Respondent's license shall be suspended for a period of One (1) year from the date of the Voluntary Surrender. The Respondent may be eligible for reinstatement contingent on the following terms:
 - a. Respondent shall enter into five (5) year monitoring agreement with the Physician's Health Committee of the Rhode Island Medical Society;
 - b. Respondent waives in writing any and all confidentiality that he may have regarding medical/psychiatric/ drug and alcohol treatment records that may be conferred upon him by either state or federal law;

- c. Respondent will be eligible for reinstatement of a state drug control license as well as a federal Drug Enforcement Administration license, however, he may not order or prescribe any drugs with an opioid or synthetic opioid; provided, however, that if respondent is in compliance with this Order and has completed a 12-hour AMA CME course in pain management, he may request a review of the restrictions in this subsection at any time in one year from the date of this Order.
- d. Respondent may prescribe other ~~pain~~^{PAIN} relief medication for his patients and order necessary medications for the practice of Rheumatology. Patient's who require opioid treatment must be referred to another physician for the purposes of obtaining these types of medications.

Respondent will cooperate with each and every recommendation of treatment providers, the Physician Health Committee or the Board of Medical Licensure and Discipline shall, from time to time, require.

10. Respondent will pay an administrative fee of Five Hundred (\$500.00) Dollars within six months of the date of ratification of this order.

Signed this 10th day of MARCH, 2008.

Ralph A. DiGiacomo, MD
Ralph A. DiGiacomo, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on March 12th, 2008.

David R. Gifford, MD, MPH
David R. Gifford, MD, MPH
Director of Health
Chairperson, Board of Medical Licensure and Discipline