

**STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS**

**RHODE ISLAND
DEPARTMENT OF HEALTH**

**MICHAEL FINE, M.D., IN HIS CAPACITY
AS DIRECTOR OF RHODE ISLAND
DEPARTMENT OF HEALTH**

**In the Matter of:
RICHARD J. GOCCIA, M.D.
License Number MD12480
Controlled Substances Registration
Number CMD12480**

COMPLIANCE ORDER

Now comes the Director of Health of the State of Rhode Island and, pursuant to Rhode Island General Laws §§ 23-1-20, after initial investigation of a patient complaint pertaining to Richard Goccia, M.D. (hereinafter "Respondent") makes the following Findings and Order:

FINDINGS

1. Respondent has been licensed as a physician in Rhode Island since August 8, 2007, and is a 1982 graduate of the Johns Hopkins University School of Medicine.
2. On April 22, 2013, the Respondent signed an Agreement Concerning Connecticut Controlled Substance Certificate of Registration.
3. Respondent thereby surrendered his Connecticut Controlled Substance Certificate of Registration No. 48956 in all schedules.

RICHARD J. GOCCIA, M.D.

Page 2 of 4

4. Based on the surrender in Connecticut, Respondent voluntarily surrendered his controlled substances registration to prescribe controlled substances, which included medical marijuana notwithstanding any statutory inconsistency; however, Respondent was otherwise permitted to continue to prescribe medications that are not controlled substances.
5. On August 8, 2013, Patient A, *alias*, a female patient, provided a more-detailed complaint to the Department alleging that Respondent saw her for an appointment on February 19, 2013, to discuss her application for a medical marijuana card. Without informing Patient A that he was about to lift her bra, Respondent performed an examination of her breast by lifting her bra and moving his stethoscope around her breast, then moving behind her and reaching over her shoulder to lift her bra again and move his stethoscope around her breast a second time. Respondent reportedly asked Patient A, "Are you excited? Your heart is racing."
6. Patient A complained that Respondent, without informing her that he was about to examine her waist and hip area, unbuttoned and unzipped her pants, moved his fingers below the top band of her undergarment, and then place his stethoscope underneath her undergarment and began to move it around. Respondent had been alone with Patient A in the examination room, which contained no medical supplies or equipment except an examination table. He did not examine any other part of her body.

RICHARD J. GOCCIA, M.D.

Page 3 of 4

7. Based on the above information, the Department of Health finds that Respondent is in civil violation of Rhode Island General Laws § 5-37-5.1(7) for alleged immoral conduct of a physician in the practice of medicine, and § 5-37-5.1(30) for alleged sexual contact between a physician and patient during the existence of the physician/patient relationship.

ORDER

After consideration of the above findings and a review of Department of Health records that demonstrate the accuracy of the above findings, it is hereby ordered that:

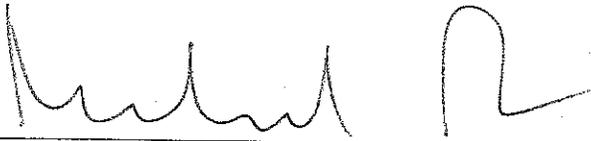
1. The Respondent is ordered to cease performing any breast or pelvic area examinations of female patients unless he has a female chaperone present during the entire examination, and this order shall take effect immediately upon Respondent's receipt of this Compliance Order, pursuant to Rhode Island General Laws § 23-1-20.
2. The Respondent, before undertaking any breast or pelvic examination of any female patient, shall inform each such patient of his intent to do such an examination prior to beginning it, shall have each such patient sign a form notifying her of the presence of a chaperone, and shall instruct each such patient to move any clothing herself if necessary for the performance of such examination.

RICHARD J. GOCCIA, M.D.

Page 4 of 4

3. The Respondent has a right to request a hearing on this Compliance Order within ten days of service of the order, and shall have a hearing with at least five days' notice of its date, time and place, pursuant to Rhode Island General Laws § 23-1-22.
4. If no hearing shall be requested within ten days of service of this Compliance Order upon Respondent, then this Order shall become effective thereupon pursuant to Rhode Island General Laws § 23-1-23.
5. The issuance of this Compliance Order is not a final adjudication of any complaint, and Respondent still faces further investigation and possible disciplinary action as a result of the filing of the above-referenced complaint.

Entered on this 16 day of October, 2013.



Michael Fine, M.D.
Director
Rhode Island Department of Health

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CERTIFICATION OF SERVICE

A copy of the within Compliance Order was mailed to Respondent by the undersigned on this 16 day of October, 2013, to Richard J. Goccia, M.D., 13 Gravel Street, Mystic, CT 06355.

ARLINE MARZONI