

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE AND DISCIPLINE**

IN THE MATTER OF:

Robert K. Desai, M.D.

License Number MD13649

Controlled Substances Registration CMD13649

BMLD Case Number C13-391

CONSENT ORDER

Robert K. Desai, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island. The Maine Board of Licensure in Medicine notified the Rhode Island Board of Medical Licensure and Discipline (hereinafter "Board") Respondent's license as a physician in Maine was temporarily suspended. The Board accordingly makes the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is a licensed physician in the State of Rhode Island and was issued his license on May 24, 2011. His primary specialty is radiology, in which he is board certified. He is a 1981 graduate of State University of New York School of Medicine, and has privileges at Kent and South County Hospitals. His office address is listed as 6725 Post Road, North Kingstown, Rhode Island, 02852.
2. Respondent on May 14, 2013, was issued a thirty (30) day suspension of his Maine medical license "based on the imminent threat to the public posed by the licensee's continued practice of medicine."

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3. The Maine Board of Licensure in Medicine on May 17, 2013, reported to the Federation of State Medical Boards of the United States that the reasons for the thirty day suspension of Respondent's medical license were "[a]lcohol abuse, incompetence, imminent threat to the health and safety of the public."
4. The Maine Board of Licensure in Medicine website, http://www.docboard.org/me/discipline/dw_ad_2013.html, confirms that Respondent had his medical license suspended for thirty days as of May 14, 2013.
5. On May 7, 2013, Respondent is alleged to have been intoxicated while on duty in a Maine hospital.
6. Respondent has been cooperative in addressing the issues underlying the temporary suspension in Maine.
7. Respondent is in civil violation of Rhode Island General Laws § 5-37-5.1(21) for having been suspended from the practice of medicine by the State of Maine, and in civil violation of Rhode Island General Laws § 5-37-5.1(5) for rendering professional services to a patient while the physician was intoxicated by the use of drugs, to wit, alcohol.

Based on the foregoing, the parties agree as follows:

1. Respondent admits to the jurisdiction of the Board.
2. Respondent has reviewed 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.

3. Respondent hereby agrees to this Reprimand by the Board based on the findings above.

4. Respondent shall not practice medicine in Rhode Island at any time during which his Maine license is suspended.

5. Respondent shall pay an administrative fee to the Rhode Island Board of Medical Licensure and Discipline for staff time spent working on the instant complaint and order. A check written payable to the Rhode Island General Treasury for \$500.00 shall be submitted within sixty (60) days of execution of this Consent Order.
6. Respondent shall remain under probation for five (5) years from the time of execution of this Consent Order. Respondent shall follow all recommendations from treating providers regarding his substance abuse and maintain regular monitoring for whatever duration the State of Maine deems appropriate.
7. In the event that any terms of this Consent Order are violated, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license. If the Director suspends the license, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of any violation of this Consent Order, and the Administrative Hearing Officer may suspend Respondent's license for the remainder of Respondent's probationary period if the alleged violation is proven by a preponderance of evidence.

Robert K. Desai, M.D.

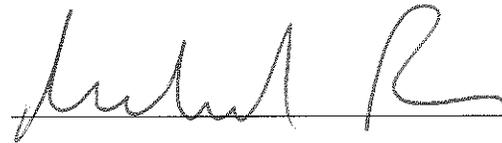
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Signed this 7th day of August, 2013.



Robert K. Desai, M.D.

Signed this 11 day of Sept, 2013.



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