

**MEDICAL LICENSURE AND DISCIPLINE
RI BOARD OF PHYSICIAN ASSISTANTS**

File No: C08-119

**IN THE MATTER OF:
Paul Mallari, PA-C
License # PA00270:**

Consent Order

Pursuant to R.I. Gen. Laws §5-54, as and §5-37, a complaint was received regarding Paul Mallari, PA - C. (Respondent) alleging that on one occasion he was an unsupervised physician assistant practicing in a licensed physician ambulatory surgery center ("PASC"). This matter was referred to the Board for investigation. The following are findings of fact and conclusions of law:

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. The Respondent is a physician assistant born in 1975 who has been licensed to practice in Rhode Island since 2002. He is a 2001 graduate of the MCP Hahnemann University. His primary area of practice is Dermatology.
2. All surgical procedures performed by a physician assistant in a licensed PASC must be under the direct supervision of a licensed physician in attendance.
3. Respondent and his supervising physician had a scheduled minor cosmetic surgical procedure with a patient (patient A). The physician alerted Respondent

that the physician would not be able to attend the procedure. Respondent performed the procedure on Patient A without physician in attendance. There were no surgical complications.

4. The Respondent failed to meet the supervision requirement while performing a minor surgical procedure on Patient A at a licensed PASC as required by R-23-17-PASC as amended December 2002 (the "Incident").
5. Respondent failed to conform to the minimal standard of physician assistant practice with regard to the Incident.

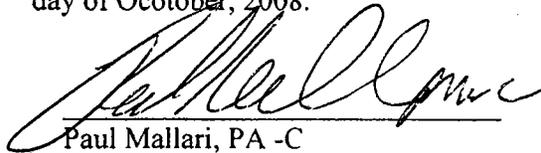
The parties agree as follows:

Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

- (1) The Respondent has read this Order and understands that it is a proposal of the Board.
- (2) 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.
- (3) Acceptance of this Consent Order constitutes an admission by the Respondent to the findings of fact made by the Board.
 - (4) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
 - (5) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
 - (6) Respondent hereby consents to probation for one year to commence upon execution of this order.

Signed this 28th day of October, 2008.



Paul Mallari, PA -C

Ratified by the RI Medical Licensure and Board of Physician Assistants at a meeting held on 28 October, 2008.



Robert Crausman, MD MMS FCCP FACP
Chief Administrative Officer
Board of Medical Licensure & Discipline and
Administrator of Physician Assistant Board
Associate Professor of Medicine
Brown Medical School