



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RHODE ISLAND DEPARTMENT OF HEALTH,
DIVISION OF ENVIRONMENTAL AND
HEALTH SERVICES REGULATION,
OFFICE OF FACILITIES REGULATION and
MICHAEL FINE, MD, IN HIS CAPACITY
AS DIRECTOR OF HEALTH OF THE STATE OF
RHODE ISLAND

V.

11th STATE CONSULTATIONS, LTD,
TOM FOLCARELLI, ESQ. AND MARIA PETRUCCI
IN THEIR CAPACITY AS OWNER-OPERATORS

ORDER TO CEASE AND DESIST OPERATIONS

Now comes the Director of Health of the State of Rhode Island (hereinafter the "Director"), and pursuant to Rhode Island General Laws, Sections 23-17-21, 23-17-4, and 23-1-20 makes the following findings and enters the following Order:

1. 11th State Consultations, LTD, (hereinafter the "Entity") is an organization located at 400 Reservoir Avenue, Providence Rhode Island.
2. Mr. Tom Folcarelli and Mrs. Maria Petrucci are registered with the Rhode Island Secretary of State as business operators of the Entity.
3. On or about October 23, 2012, the Department initiated an inspection of the Entity based on information received from Dr. Soneath Pond regarding his work as an independent contractor for 11th State Consultations, from records subpoenaed from 11th State Consultations, from the company's website, and from the Rhode Island Secretary of State.
4. Preliminary evidence gathered by the Department indicates the Entity provides health care consultations and conducts medical and health care assessments to individuals of the public on an outpatient basis on the premises of the Entity and provides individuals based on their medical assessment with an authorization by a licensed medical practitioner for the use of medical marijuana.
5. Pursuant to Rhode Island General Law, Section 23-17-2 (6) the Entity's activities fall under the definition of a Health Care Facility.
6. The Entity is not organized or registered as a Professional Service Corporation as defined in Rhode Island General Laws, Chapter 5.1 of title 7, as amended.

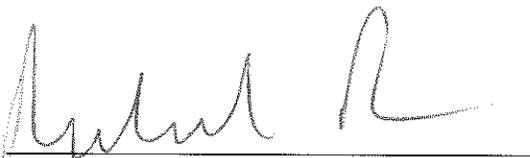
Therefore, based on the foregoing, the Director and in accordance with RIGL Section 23-17-21, 11th State Consultations, Ltd. is herein ordered to:

1. Effective within ten (10) days of the receipt of this order, the Entity will cease marketing and providing patient consultation and assessment services to the public for the purpose of providing medical authorizations for medical marijuana.

Be advised, if the Entity fails to cease operations as directed by this order, the Department, in accordance with Rhode Island General Laws, Chapter 23-17-21 and Chapter 23-17-17, may take additional enforcement actions up, including a civil money fine or imprisonment for more than one year or both.

Notwithstanding any further findings, actions, or sanctions by the Department, this order remains in effect until further notice and will remain in effect until the results of a formal hearing are determined.

An administrative hearing may be requested within ten (10) days of this order, pursuant to Rhode Island General Law Section 23-1-20. If such a request is made, the hearing will be held on **Friday November 30, 2012, at 1:30 p.m.**, Room 401, Rhode Island Department of Health, Cannon Building, 3 Capitol Hill, Providence, Rhode Island. If no hearing request is made, the Order takes effect automatically.



Michael Fine, MD, Director,
Rhode Island Department of Health

Cc: James McDonald, Chief Medical Officer, Board of Medicine
Raymond Rusin, Chief, Office of Facilities Regulation
Jodi Bourque, Special Asst. Attorney General
File

CERTIFICATION OF SERVICE

A copy of this Immediate Compliance Order was ~~hand-delivered~~ ^{mailed and faxed} to Carolyn Mannis by the undersigned on Nov. 21, 2012 and documents receipt of this order. ^{Counsel for 11th State Consultations LTD.}

Sandra Juliana 11-21-12
(Signature) (Date)