

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RHODE ISLAND DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE AND DISCIPLINE
AND PATRICIA A. NOLAN, MD, MPH, IN HER CAPACITY
AS DIRECTOR OF HEALTH, STATE OF RHODE ISLAND

V.

C94-218

N. FRANK FEINER, M.D.

IMMEDIATE COMPLIANCE ORDER

Now comes the Director of Health of the State of Rhode Island, and pursuant to Rhode Island General Laws 23-1-21 makes the following Findings and Order.

1. N. Frank Feiner, M.D. is a physician who was issued allopathic license number 6633 on June 19, 1985.
2. Within the first week of his practice of psychiatry Dr. Feiner wrote prescriptions in the name of the patient's mother so that the prescriptions would be covered by Blue Cross/Blue Shield. He was sanctioned for this on June 10, 1987.
3. On December 14, 1994, the Board of Medical Licensure and Discipline found that Dr. Feiner had entered into a sexual relationship with his patient. He would found guilty of Willful Misconduct in the practice of medicine. He was rendered totally disabled by treatment providers and sought treatment in an out-of-state facility. His license was Suspended Indefinitely.
4. Subsequently, the Board received reports that Dr. Feiner had responded to treatment and he petitioned for reinstatement of his license. During the period of suspension, however, the Board received complaints regarding Dr. Feiner's treatment of another patient. Dr. Feiner signed another Consent Order in which he admitted the findings of the Board and agreed to a restriction of his license to practice medicine. This restriction, imposed in June of 1997, mandated that Dr. Feiner practice only under supervision of a psychiatrist approved by the Board.
5. The Board approved Dr. Brandon Krupp who undertook supervision of Dr. Feiner's practice pursuant to a contract approved June 20, 1997.
6. Subsequently, Dr. Krupp notified the Board that he was resigning as Dr. Feiner's supervisor because he no longer believed that Dr. Feiner could benefit from supervision. He forwarded a report to the Board detailing his reasons and rationale.

7. In May, Dr. Feiner was ordered by the Director of Health to cease practice and transfer the care of his patients while the board reviewed the Krupp Report and determined if a new supervisor would be appointed.
8. In July, the Board learned that Dr. Feiner continued to see patients in violation of his restricted license and against the Order of the Director of Health.
9. Dr. Feiner admitted that he continued to see patients, prescribe medications and order tests on his patients. His license to practice was Summarily Suspended on August 4, 1998.
10. Dr. Feiner was issued a subpoena for records, in accordance with R.I.G.L. 5-37-6 and failed to comply with the subpoena. Rather, he edited the records and provided the department with edited records in order to deceive the Board in violation of R.I.G.L. 5-37-5.1(23).
11. Dr. Feiner has continued to see patients, communicate with them and offer to "help" them in violation of the Consent Order and of his restricted license.
12. Dr. Feiner continues to pose an immediate threat to the public health because of his persistent non-compliance with Orders of the Board.

ORDER

1. Therefore, it is ORDERED, pursuant to the authority granted to the Director of Health pursuant to section 23-1-21, N. Frank Feiner, M.D. shall turn over to the Department of Health all patient records from the date of ~~his~~^{the} first visit to the last visit in his possession.
2. This Immediate Compliance Order shall take effect upon service.

Entered this 19th day of August 1998.

By: Patricia A. Nolan MD, MPH
Patricia A. Nolan, MD, MPH

CERTIFICATION OF SERVICE

A copy of the within Immediate Compliance Order was hand delivered to N. Frank Feiner, MD, by the undersigned on 24th day of August 1998.

